

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	2 DECEMBER 2010
PRESENT	COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, WATSON, MOORE, ORRELL, TAYLOR AND WISEMAN

### INSPECTION OF SITES

Site	Attended by	Reason for Visit
24 Hull Road, York. YO10 3JG	Cllrs Cregan, Brian Watson, Moore and Wiseman	As objections had been received and the officer recommendation was to approve.

### 32. DECLARATIONS OF INTEREST

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

Councillor Moore declared a personal and prejudicial interest in Agenda Item 3c, The Glen Nursery, as one of the objectors was his wife's employer. He withdrew from the meeting during the consideration of this item.

Councillor Wiseman declared a personal and non prejudicial interest in Agenda Item 3c, The Glen Nursery, as the Council's representative for the Glen Family Resource Centre.

No other interests were declared.

### 33. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the Sub-Committee's remit.

### 34. PLANS LIST

Members considered reports of the Assistant Director (Planning and Sustainable Development) relating to the following planning application, outlining the proposals and relevant planning considerations and setting out the views of the consultees and officers.

**34a 24 Hull Road, York, YO10 3JG (10/01521/FUL)**

Members considered a full application from Mr Robert MacMahon for the change of use from a dwelling to an office use. This included alterations to access and parking.

Officers circulated an update to Members during the meeting. This was then attached to the agenda and republished after the meeting. The update included clarification of the marketing of the property, the staffing levels and the use of the parking area. Officers also suggested, that if Members were minded to approve the application, that an additional condition could be added regarding screening along the rear boundary of the property.

Representations were heard from a representative of a local neighbour. He stated that the neighbour was opposed to the application due to the change of use of the building. He felt that the noise and visual impact created by the proposed use could be detrimental to neighbouring properties and pointed out that there was on street parking close to the property despite some restrictions. He also pointed out the restricted visibility for vehicles at the access to the property.

Representations were heard from a representative of Osbaldwick Parish Council. He stated that he was opposed to the application due to the continued loss of family homes in the area, particularly to create student lets.

Representations in support of the application were heard from the applicant. In response to questions, he stated that he felt that a commercial use for the building was a more suitable development for the property. He explained that one prospective purchaser had not been able to secure a mortgage due to the proximity of the filling station. Another had withdrawn their interest, and the property remained unsold even after six months of marketing. Members were informed that the minibuses, which would be used by the business, would not operate outside of the student letting periods, generally a six week period in January and early February. He stated that he was happy to accept an additional condition relating to the screening on the rear boundary, if Members were minded to approve the application.

Members asked the applicant a number of questions relating to when he purchased the property, internal alterations to the building, signage, and the possible relocation of parking space for the minibuses.

The applicant responded that the property had been purchased in June 2010, and that there would no internal alterations made to the property. In response to a question of parking for the minibuses attached to the business, the applicant responded that they had been discouraged from parking on the University campus. He further indicated that any signage would be discreet in nature, similar to the dentists surgery a short distance away on Hull Road. Officers confirmed that separate consent may be needed for any advertisements at the property, depending on the size and location etc.

Members agreed that if the application were approved, it would result in a loss of family housing in the city. They added that they felt that it had not been marketed for a suitable amount of time or at the most advantageous time of year.

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

**REASON:** The proposal would involve the loss of a three bedroom dwelling. It is considered that the conversion of the dwelling to office use would have an unacceptable impact upon the existing and future housing stock within the City of York, in particular having regard to the shortage of family houses within the city. The proposal is, therefore, considered to conflict with Policy H9 of the City of York Council Development Control Local Plan which seeks to retain an adequate supply of family housing stock, as supported by the Council's Strategic Housing Market Assessment 2007 and national planning advice contained within Planning Policy Statement 3 "Housing".

**34b Adams Hydraulics, George Cayley Drive, York. YO30 4XE (10/02127/FULM)**

Members considered a full major application from Argon Properties Ltd for single storey side extension to an existing industrial building after the demolition of a detached side storage building.

Members noted that the property was well located in relation to neighbouring residential properties. They suggested that if the application were approved that a condition be added to the planning permission to allow for an extension of working hours on a Saturday to 18:00 hours.

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

**REASON:** In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the principal of additional employment development on unallocated land, scale, design and appearance, environmental protection and amenity, highway considerations and sustainability. As such the proposal complies with Policies E4, GP1, GP3, GP4a, GP5, GP9, T4 and T13a of the City of York Development Control Local Plan.

**34c The Glen Nursery, Ousecliffe Gardens, York. YO30 6LX  
(10/02544/FUL)**

Members considered a general regulation application from Adults, Children and Education for a single storey side extension, two additional numbered parking spaces, a replacement cycle shelter and storage units.

Officers circulated letters of objection to the application, from local residents. These letters were attached to the agenda which was republished following the meeting.

In their update, Officers reported that the objections from residents related to concerns over access, noise and light pollution. In addition there had been concerns over the size of the steel storage sheds for the building. Officers confirmed that the steel sheds would be the same size as the current wooden sheds that would be replaced.

Representations were heard from a neighbour in objection to the application. He pointed out that the application had been previously refused by the Committee, and that one of the reasons for refusal given was due to the arrangement of the windows. He added that the windows had not been altered and that the root system of the trees on the site would be detrimentally affected by construction, if the application was approved.

Further representations in objection, were received from a representative of the residents of Ousecliffe Gardens. He reported that the main concern from residents were related to traffic generated from construction vehicles, in an area which had many existing traffic problems, and a bad road surface which had compounded these problems.

Representations were heard from the applicant who informed Members about the use of the building and that there would not be an increase in the number of bedrooms inside the building. He added that a traffic management plan would be put in place if the application was approved. Members were informed that the foundations of the building would be on mini piles to avoid tree roots, and that the slate roof had been redesigned to be in keeping with other adjacent properties.

Members asked about the necessity for the centre, given that other providers had been granted planning permission for providing facilities for disabled children in the city. Officers confirmed that it would be unlikely that similar services and facilities to those being offered would be provided elsewhere. Members also asked on whether the Council would be obliged replace any trees that would be killed in construction of the extension. This was confirmed by Officers.

During their discussion Members noted that if they were minded to approve the application, it would be appropriate to add a condition to permission to limit deliveries to between 09:00 hours and 15:00 hours.

RESOLVED: That the application be approved, subject to conditions listed in the Officer's report and the additional condition listed below;

- (i) The development shall not begin until a management plan for the control of traffic during construction has been submitted to the local planning authority and approved in writing. The management plan shall include maximum size/weight of construction and delivery vehicles and hours of delivery of materials, plant and machinery (which shall be restricted to 0900-1500 hours Monday to Friday, 0900-1200 hours on Saturdays and at no time on Sundays or bank holidays). The management plan shall be implemented in full to the satisfaction of the local planning authority.

REASON: In the interests of highway safety and residential amenity.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to;

Design  
Provision of community facilities  
Impact on trees  
Highway issues  
Neighbour amenity  
Impact on the adjacent listed building

As such the proposal complies with policies GP1, C1, NE1 and HE2 of the City of York Local Plan Deposit Draft.

### **35. CURRENT POSITION OF OPEN SPACE AND FOOTPATH PROVISION AT THE FORMER CLIFTON HOSPITAL SITE**

Members considered a report on the current position as to the dedication of land as public open space and the provision of a public footpath at the site of the former Clifton Hospital. This report was previously considered at the Committee's meeting in July, where it was decided to receive a further update report.

Members received an update from the Council's Legal Officer who informed them that work was currently being carried out in relation to the public footpath.

Members noted that some concerns had been received in relation to the speed of progress on the dedication of land and to the adjacent part of land in relation to rubbish causing nuisance to neighbours.

RESOLVED: That Option 2 be approved and that a further report is received by the Committee in two months time if substantial progress to resolve both outstanding issues has not been made.

REASON: Such an approach is likely to resolve the matter more expeditiously.

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

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

Members suggested to Officers that they felt it would be useful to receive the summary of appeals by ward, rather than by the Officers involved.

RESOLVED: That Members note the content of this report.

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

Cllr K Hyman, Chair

[The meeting started at 2.00 pm and finished at 3.15 pm].