



**Notice of meeting of
East Area Planning Sub-Committee**

To: Councillors Hyman (Chair), Cregan (Vice-Chair),
Douglas, Firth, Funnell, B Watson, Moore, Orrell, Taylor
and Wiseman

Date: Thursday, 10 March 2011

Time: 2.00 pm

Venue: The Guildhall, York

AGENDA

Members are advised to note that if they are planning to make their own way to the Site Visits to let Judith Cumming know by **5 pm** on **Tuesday 8 March** on **(01904) 551078**.

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 4 - 13)

To approve and sign the minutes of the last meeting of the Sub-Committee held on 10 February 2011.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Sub-Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Wednesday 9 March 2011 at 5 pm.

4. Plans List

To determine the following planning applications related to the East Area.

- a) **Bootham Gardens Guesthouse, 47** (Pages 14 - 18)
Bootham Crescent, York. YO30 7AJ
(10/02822/FUL)

This application seeks planning permission for a detached pitched roof laundry to the rear of Bootham Gardens Guest House, 47 Bootham Crescent, Clifton.

This application is being determined at Committee because the applicant's spouse is an employee of City of York Council. As an objection has been received a site visit is also scheduled. [Clifton] **[Site Visit]**

- b) **44 Broadway West, Fulford, York. YO10** (Pages 19 - 23)
5JJ (11/00221/FUL)

The application property is a hipped-roof semi-detached house located towards the end of a long cul-de-sac in Fulford. It is proposed to erect a small porch to the front linking to a new garage to the side and a 1.7m deep extension to the rear.

The application is brought to Committee for determination as one of the joint applicants is an employee of the Council. A site visit is also scheduled as an objection from a neighbour has also been received. [Fishergate] **[Site Visit]**

**c) 17 Lock House Lane, Earswick, York. (Pages 24 - 29)
YO32 9FT (11/00096/FUL)**

This application seeks permission for the erection of a large pitched roof two-storey rear extension, with small single storey rear element, to provide additional living space. One additional first floor window to the existing side elevation facing towards No. 15 Lock House Lane is also proposed.

This application has been called to committee for decision by Councillor Wiseman on the grounds of overdevelopment of the site. A Site Visit has been scheduled due to objections that have been received. [Strensall] **[Site Visit]**

**d) 31 Lea Way, Huntington, York. YO32 9PE (Pages 30 - 43)
(11/00090/FULM)**

The application is for the erection of 13 dwellings comprising nine 2-bedroom houses and four 3-bedroom houses. A Site Visit has been scheduled due to objections that have been received. [Huntington/New Earswick] **[Site Visit]**

**e) Hawthorn Terrace South, New Earswick, (Pages 44 - 54)
York. YO32 4BL (10/00424/LBC)**

This application is for the installation of replacement white timber double glazed windows at 1-16 Hawthorn Terrace. The application was originally considered by the Committee in June 2010, where a decision was deferred to enable further negotiations to take place with the applicant on the design of the windows. [Huntington/New Earswick]

**f) Ivy Place, New Earswick, York. YO32 4BS (Pages 55 - 65)
(10/00427/LBC)**

This application is for replacement white timber double glazed windows to 1-20 Ivy Place. The application was originally considered by the Committee in June 2010, where a decision was deferred to enable further negotiations to take place with the applicant on the design of the windows. [Huntington/New Earswick]

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972

6.

Democracy Officer:

Name- Judith Cumming

Telephone – 01904 551078

E-mail- judith.cumming@york.gov.uk

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
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- Copies of reports

Contact details set out above.

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Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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EAST AREA PLANNING SUB COMMITTEE**SITE VISITS****Wednesday 9 March 2011****Members of the sub-committee to meet at Union Terrace Car Park
at 10.00**

TIME (Approx)	SITE	ITEM
10:10	Bootham Gardens Guest House, Bootham Crescent	4a
10:40	44 Broadway West, Fulford	4b
11:15	17 Lock House Lane, Earswick(via Outer Ring Road)	4c
11:45	31 Lea Way, Huntington	4d

City of York Council

Committee Minutes

MEETING EAST AREA PLANNING SUB-COMMITTEE

DATE 10 FEBRUARY 2011

PRESENT COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR)(EXCEPT MINUTE ITEMS 46B,46C & 46G), DOUGLAS,(EXCEPT MINUTE ITEMS 46A-C & 46G) FIRTH, B WATSON, MOORE, ORRELL(EXCEPT MINUTE ITEM 46G), TAYLOR, KING (SUBSTITUTE FOR COUNCILLOR FUNNELL) AND BROOKS (SUBSTITUTE FOR COUNCILLOR WISEMAN)

APOLOGIES COUNCILLORS FUNNELL AND WISEMAN

INSPECTION OF SITES

Site	Attended by	Reason for Visit
Sainsbury's (formerly Somerfield), Haxby Shopping Centre, Haxby, York.	Cllrs Brooks, Moore and B Watson	As objections had been received and it had been called in by a Ward Member.
Seven Oaks, Ox Carr Lane, Strensall.	Cllrs Brooks, Moore and B Watson	As objections had been received and the officer recommendation was to approve.
Rhodes Haulage, Grange Farm, Hazelbush Lane, York.	Cllrs Brooks, Moore and B Watson	To familiarise Members with the site.
124 Heslington Lane, York.	Cllrs Brooks, Moore and B Watson	As objections had been received and it had been called in by a Ward Member.

43. DECLARATIONS OF INTEREST

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

Councillor Firth declared a personal non prejudicial interest in Agenda Items 4a)b) and c) (Sainsbury's (formerly Somerfield), Haxby Shopping Centre) as the Ward Member who had called in the application for consideration by the Committee.

No other interests were declared.

44. MINUTES

RESOLVED: That the minutes of the meeting of the East Area Planning Sub-Committee held on 6 January 2011 be approved and signed by the Chair as a correct record.

45. 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 remit of the Sub-Committee.

46. 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.

46a Sainsbury's (formerly Somerfield), Haxby Shopping Centre, The Village, Haxby, York (10/01869/FUL)

Members considered a full application from Sainsbury's Supermarkets Ltd for the relocation of rear store entrance, roof plant area with timber screen, canopy to loading bay, 2 no. trolley shelters, ATM to front, rooflights to the front elevation, and external staircase to flat roof at the rear of the building, to the former Somerfield building at Haxby Shopping Centre.

Representations in support of the application were received from the agent for the applicant. She outlined some of the reasons as to why the applicant proposed the alterations. These included;

- Commercial viability
- The need to overcome Anti Social Behaviour around the car park

Additional queries were made as to the position of the rear door and why it could not be placed to open out into the car park. The agent stated that the applicant did not propose for the entrance to be placed to open out into the car park because of the conflict that could be caused between deliveries and customers.

It was reported that the applicant had accepted that there would be a degree of light spillage from the proposed position of the rear door and so had suggested that a screen be installed to diminish this effect.

Members queried the position of the delivery bay which was located in the car park, and raised concerns regarding pedestrian and driver safety.

RESOLVED: That the application be refused.

REASON: It is considered that the proposed new entrance and associated glazed lobby to the rear elevation of the building would constitute an unsympathetic and visually intrusive feature that would be harmful to the visual amenity of the streetscene, and the character and appearance of the conservation area, and would therefore conflict with Policies GP1, HE2, and HE3 of the City of York Council Development Control Local Plan (2005), and national planning guidance relating to design contained within Planning Policy Statement 1 - 'Planning for Sustainable Development', and Planning Policy Statement 5 'Planning for the Historic Environment'.

46b Sainsbury's (formely Somerfield), Haxby Shopping Centre, The Village, Haxby, York (10/01870/ADV)

Members considered an advert application from Sainsbury's Supermarkets Ltd for the display of a non illuminated fascia sign to front, non illuminated lettering sign to the rear, non illuminated signs at both store entrances, totem sign and various car park signs to the rear at the former Somerfield's building at Haxby Shopping Centre.

The agent for the applicant informed the Committee that the applicant felt that the previous lack of signage gave a sense of anonymity to the store. Members were informed that amendments had been made to the application and the signs would now all be non-illuminated, due to the location of the site in a conservation area.

Some Members queried the reason for the additional placing of an orange border around the proposed ATM and suggested that this might be for branding purposes only. The agent confirmed this assumption.

RESOLVED: That the application be refused.

REASON: (i) The proposed fascia to the front elevation, by virtue of a combination of its scale, appearance, protruding forward of the existing fascia, its proportion in relation to the adjoining signage and setting, and being displayed in a prominent location in the heart of Haxby Conservation Area, would be visually intrusive and result in harm to the visual amenity and character of the host building, the streetscene, and the historic merits of the Haxby Conservation Area, and the setting of the listed building immediately opposite (48 The Village). For these reasons the display of the fascia sign is considered to conflict with Policies GP21, HE2, HE3, and HE8 of the City of York Development Control Local Plan 2005 and national planning advice set out in Planning Policy Guidance

Note 19 "Outdoor Advertisement Control" and Planning Policy Statement 5 'Planning for the Historic Environment'.

- (ii) The proposal, by virtue of the number of signs and their excessive scale, their location and consequent cumulative impact would be unduly prominent and create a cluttered appearance that would be harmful to the visual amenity of the host building, the street scene, and the character and appearance of the conservation area, and the setting of the listed building immediately opposite (48 The Village), and therefore conflicts with Policies HE8, HE2, HE3, and GP21 of the City of York Development Control Local Plan and national planning advice contained within Planning Policy Guidance Note. 19 "Outdoor Advertisement Control" and Planning Policy Statement 5 'Planning for the Historic Environment'.

46c Sainsbury's (formerly Somerfield), Haxby Shopping Centre, Haxby Village, York. (10/02418/FUL)

Members considered a full application from Sainsbury's Supermarkets Ltd for the provision of new external lighting car park comprising 4no. columns in the car park to the rear of the former Somerfield building at Haxby Shopping Centre. The application originally included a proposal to install 2no Belisha beacons within the car park.

A photograph of one of the Belisha beacons proposed next to the pedestrian crossing was circulated amongst Members. This was attached to the agenda after the meeting, and the agenda was subsequently republished online.

Members were informed of the partial retrospective aspect to the application in that only one of the columns for the two proposed beacons was currently in situ. Officers advised Members that the applicant had now withdrawn the proposed Belisha beacons from the application

In response to questions from Members it was reported that the external lighting would face downwards into the car park to reduce spillage and that the lights would be timed to switch off 30 minutes after the store had closed.

Members indicated that they would be happy to approve the application if the second Belisha beacon was not installed, with a condition controlling the hours of illumination of the car park lighting.

RESOLVED: That the application be approved.

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 the appearance of the building, the character and appearance of the conservation area, and the impact on the residential amenity of the occupants of nearby dwellings. As such the proposal complies with Policies GP1, HE2 and HE3 of the City of York Development Control Local Plan.

46d Seven Oaks, Ox Carr Lane, Strensall. YO32 5TD (10/01553/FUL)

Members considered a full application from Mr Peter Ruane for the demolition of an extended chalet style detached house and erection of three, 2 storey 4 bedroomed houses.

In their update, Officers informed Members that condition 11 in their report relating to the maximum height of the houses should be amended thus;

- Plot 1 from 7.4 metres to 7.5 metres
- Plot 2 from 7.6 metres to 7.8 metres
- Plot 3 from 7.4 metres to 7.5 metres

They also stated that the report included an incorrect mention of one tree being felled due to planned construction works, and confirmed that an additional tree would also be lost at the rear of the house. It was noted that these trees are not protected but do provide screening. Officers informed Members that concerns had originally been raised due to the design and impact of the proposed houses but that the current scheme was now deemed to be acceptable.

Members asked Officers that if approved, a condition could be added to require that materials from the demolished buildings be reused on the site. Officers confirmed that this could be a suitable a condition if the application was approved.

Representations in objection to the application were heard from a local resident. His reasons for objection were that;

- He felt that the proposal constituted overdevelopment and that the density would detrimentally affect the openness of the site.
- The proximity of the site to Ox Carr Lane, a Site of Special Scientific Interest.
- That it was not sufficient for the report to say that there was a possibility of bats inhabiting the site without a survey conducted to confirm this.

Representations in support of the application were heard from the architect for the applicant. He stated how the current proposals had been modified following Officers comments and accepted that there was a higher density to the site than previously, but that it was less than some other existing developments in the vicinity.

Representations were received from a representative of Strensall and Towthorpe Parish Council who was of the opinion that the application did not comply with a number of planning policies such as; GP1, GP10, HE1 and PPS25. He highlighted that he was surprised that a drainage plan had not been submitted for the application, and felt that this matter should be addressed at the application stage rather than by condition. He added that he felt the site was not sustainable because it was located some distance away from shops, schools, doctors surgeries and that it was not on a bus route.

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. As such the proposal complies with national planning advice contained within Planning Policy Statement 3 "Housing" and policies GP1, GP4a, GP10, GP15a. NE1, NE6 and L1c of the City of York Draft Local Plan.

46e Rhodes Haulage, Grange Farm, Hazelbush Lane, York YO32 9TR (10/00612/FUL)

Members considered a full application from Mr John Rhodes for a change of use of agricultural land to form an extension to the operating area at Rhodes Haulage yard.

Officers informed Members that the Parish Council had not raised objections to the application but had wished for the portable units on the site to not exceed 1 unit when stacked, if it was approved.

Representations in support were received from the agent to the applicant. He stated that the main focus of the business was as a haulage yard but that temporary storage had always been provided alongside this. He also added that a full transport consultation report identified that the current site did not accommodate all vehicles.

The applicant, who was in attendance, told Members those other sites had not been considered for the extension because of unavailability when the yard was first created. In response to a question of how the bunding on the site would affect the openness of the land, the applicant responded that the bunding would not be visible and that it would appear like woodland.

Some Members felt that the proposal to screen the site could increase the habitat for wildlife. They also felt that there would not be a detriment to the site and that by approving the application, the size of the site would be limited from further expansion. They considered that the expansion would help safeguard the future of the business and the jobs and that the impact on the Green Belt was limited, particularly if screened. In relation to the

height of the portable units, Members suggested that the maximum height be 2 units high when stacked.

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

Drawing titled Site Plan dated 08/07/2009.
Drawing no: 5566-01 Rev. A - Proposed Site Layout.

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

3 Notwithstanding the details submitted with the application, full details of screening and landscaping proposals around the approved area shall be submitted to the Local Planning Authority within 2 months of the date of this permission. These details shall be agreed in writing by the Local Planning Authority and the agreed details implemented in full within 6 months of the date of that agreement unless an alternative timescale for implementation is otherwise agreed in writing by the Local Planning Authority beforehand. This approved scheme shall be retained in full thereafter. Any trees or plants which within a period of five years from the completion of the landscaping scheme 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. To ensure that the site is screened, in the interests of the visual amenity of the Green Belt.

4 No portable buildings or containers shall be stored or stacked more than two high on any part of the approved site area.

Reason. In order to protect the visual amenity, openness and character of the Green Belt.

5 Only vehicles related to the business being carried out on the premises shall be serviced, repaired, or parked on the site.

Reason - In order that this development does not further expand to the detriment of the visual amenity of the Green Belt.

6 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being

drained. These details shall be agreed in writing by the Local Planning Authority prior to any new interceptors being installed.

Reason;- To prevent pollution of the water environment.

7 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the largest tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason. To prevent pollution of the water environment.

8 The number of vehicles operated by this business shall at no time exceed 25.

Reason:- In the interests of highway safety and the visual amenity of the Green Belt.

NB: As the application is in the Green Belt it would need to be referred to the Secretary of State before a decision is issued.

REASON: Due to the economic difficulties faced by relocation of the business, and because the site would be well screened.

46f 124 Heslington Lane, York, YO10 4ND (10/02529/FUL)

Members considered a full application from Mr Haydn Kelly for a hipped gable to both sides with dormers to front and rear, on a detached bungalow at 124 Heslington Lane.

Representations in objection to the application were received from a neighbour. She told Members how she felt that the application was detrimental to neighbouring properties because of the difference of the roof height, which if approved, could set a precedent for future planning applications to not respect the symmetrical design of the estate.

Representations in support of the application were received from the applicant. He stated that he wished to extend the property in order to accommodate his growing family. He felt that the application would not detrimentally affect the streetscene and that height of the roof would alter the appearance of the property positively, to make it appear more individual.

Representations were received from a member of Fulford Parish Council. She informed Members that the Parish Council was in objection to the application on the grounds that; there was already a substantial rear extension to the property that could be used as a third bedroom, and that there would be overdevelopment due to the increase in space internally. She informed Members that the existing bungalows on the estate were designed without dormers and that the extended property would unbalance the streetscene and appear incongruous

Councillor Aspden, as Ward Member, spoke about how he felt that the application would be detrimental to the streetscene. He stated that a similar application for a two storey extension in the area had been refused several years ago, and that the proposal would have a similar impact.

Members questioned Officers regarding planning legislation for front and rear dormers, and if the applicant would have to apply for further permission if they wished to turn the property into a House of Multiple Occupation. (HMO)

Officers responded that planning guidance stated that outside conservation areas, rear dormers and side dormers were permitted, along with hipped gable extensions. They also informed Members that the applicant would at present not have to apply for further permission to convert his property into a HMO for between 3 and 6 occupants, but if the Council made an Article 4 Directive in respect of such changes

RESOLVED: That the application be refused.

REASON: The proposed scheme, due to the design and massing of the resultant building, would have a discordant appearance that would not be sympathetic or appropriate to that of neighbouring buildings. It would be incongruous in the street scene when viewed in conjunction with the surrounding properties that have a planned layout and appearance and would not therefore respect the local environment. As such, it would have an adverse affect on the visual amenity of the area, contrary to national guidance on design contained within Planning Policy Statement 1 "Delivering Sustainable Development" (paragraph 34) and policies GP1 and H7 of the Draft City of York Local Plan.

46g Yeomans Yard, Ebor Industrial Estate, Little Hallfield Road, York YO31 7XQ (10/02336/REMM)

Members considered a major reserved matters application from Mr R Yeomans relating to consent for the landscaping part of the proposed development at Yeomans Yard, which was given planning approval in November 2007. Officers informed Members that the applicant had agreed to plant three additional trees as part of the scheme, and that the

recommended conditions had been amended to reflect and incorporate this change.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions in the Officer's report would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and landscape value. As such the proposal complies with Policies GP1 and GP9 of the City of York Development Control Local Plan.

Cllr K Hyman, Chair

[The meeting started at 2.00 pm and finished at 4.25 pm].

3.0 CONSULTATIONS

3.1 Internal

Environmental Protection Unit - no objections.

3.2 External

3.2.1 Clifton Planning Panel - The Panel noted the response from our Environmental Protection Unit. They have no strong concerns themselves, subject to there being no 'insuperable' objections from neighbouring properties. The question of times when washing and drying will take place is a matter which should be addressed in the interests of good neighbour relations.

3.2.2 Neighbour Response - One letter was received from the occupants of no 44 St Olaves Road. An objection was raised on the grounds of; overshadowing of the 'majority' of their decking area; 'noise and odour' pollution; 'Dimensions' pointing out the detached structure (approx one metre from the shared boundary) exceeds the permitted development tolerance granted to dwelling houses.

The neighbours suggest that the following amendments are incorporated:

- a flat roof with a height not exceeding 2.5 metres
- ventilation to be routed to the front of the store
- maximum of 1 domestic washing machine and 1 domestic tumble drier at any time
- additional timber panelling above the boundary wall to provide additional screening

4.0 APPRAISAL

4.1 Key issue(s): Effect upon neighbouring property and the street scene

4.2 Draft Local Plan Policy CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment; (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.3 The Application Site - The planning permission granted in 2004 created four no guest bedrooms to the rear of the property at ground floor, and two no guest bedrooms at first floor. The proprietors live in semi-self contained accommodation at the front of the property. The washing machine / tumble drier are currently located in a wooden shed approx 2.3m x 1.9m, situated in the right hand corner of the rear garden. The proposed replacement, a bigger structure, will be located in the left

hand corner of the rear garden, and set back approx 1.0m from the shared boundary of 44 St Olave's Road. This application has no implications in terms of off-road parking, cycle storage, or refuse storage. There will still be sufficient amenity space following development.

4.5 Assessment - The proposed laundry store will not be visible from Bootham Crescent, and no issues arise in terms of visual impact on the streetscene. The store measures approx 4.2m x 3.1m and will be approx 2.4m to eaves and approx 3.6m to ridge. In terms of no 43/45 Bootham Crescent, there will be considerable separation between the store and the dwelling, and no objection has been received from this property. In terms of no 44 St Olaves Road, the concerns of the occupants stem from a much closer separation (approx 1.0m) to an important external amenity area (a raised wooden platform with table and chairs). In terms of overshadowing, or over-dominance; the proposed store will be set back approx 1.0m from the shared boundary. The eaves will be marginally higher than the highest point of the existing trellis, and it is likely that only a small section of the pitched roof of the store will create any additional overshadowing.

In terms of noise and odour, the ventilation fan outlet will be located on the front elevation of the store, a distance of approx 5.0m from the shared rear boundary. During the course of the site visit the washing machine/tumble drier was operating in the existing wooden shed and the noise emission was minimal. Given that the proposed store incorporates cavity walls, the additional sound insulation should mitigate against any potential noise nuisance. The Council's Environmental Protection Unit have been consulted and have raised no objections to the proposal.

5.0 CONCLUSION

The proposal is unlikely to detract from the character and appearance of the area or have a detrimental impact on the neighbours within close proximity to the proposal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

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

Drawing no. 10-190 received 23rd December 2010

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

3 VISQ1 Matching materials

**7.0 INFORMATIVES:
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposed laundry store, subject to the conditions listed above, would not cause undue harm to occupants of neighbouring properties. Nor is it considered that the size, scale or design of the store would have any detrimental impact on the street scene. As such the proposal complies with Policy GP1 of the City of York Draft Local Plan.

Contact details:

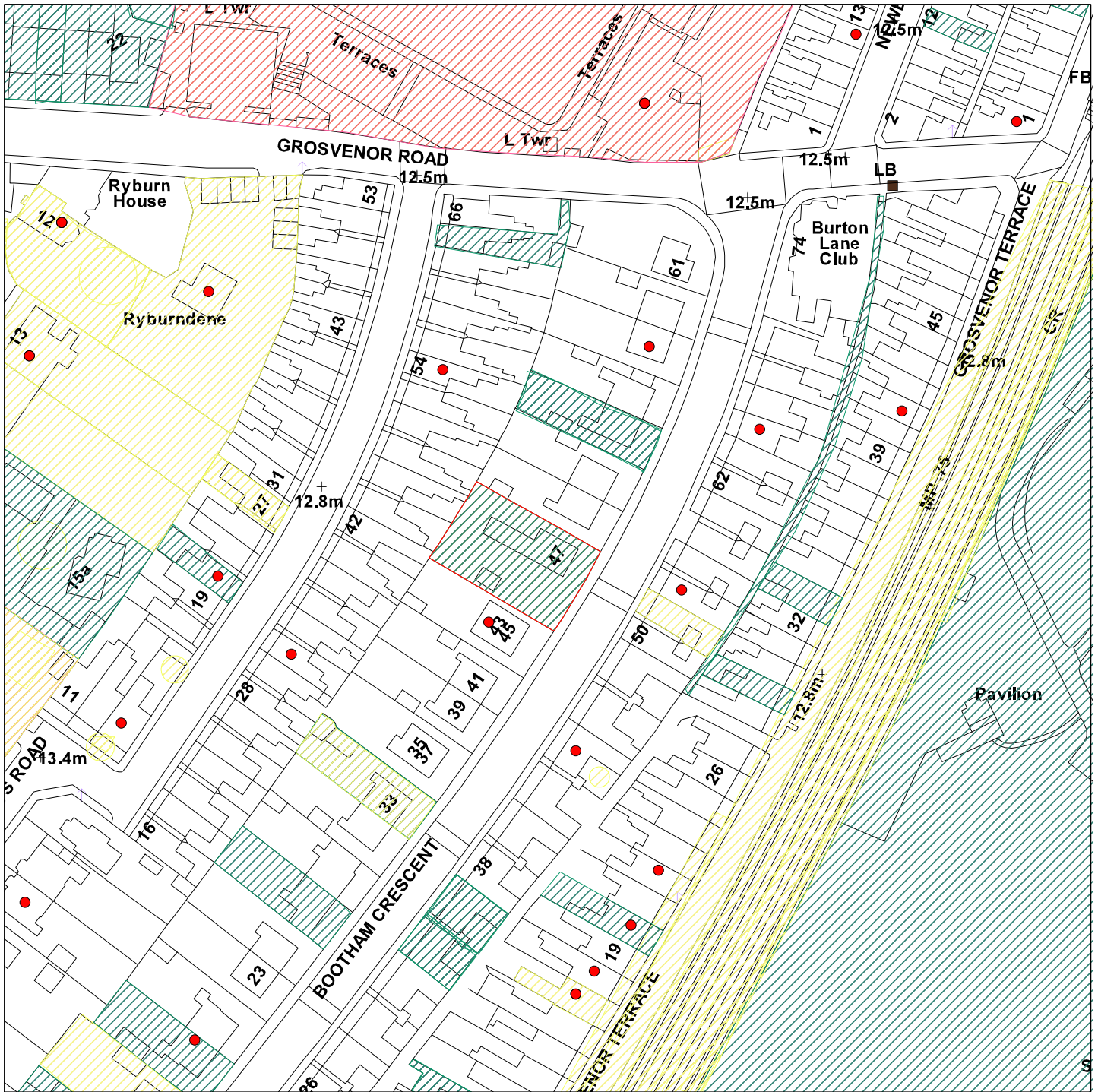
Author: Paul Edwards Development Management Assistant
Tel No: 01904 551642

Bootham Gardens Guest House

10/02822/FUL



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	28 February 2011
SLA Number	Not Set

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYH7
Residential extensions

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections in principle but recommend the front garden be surfaced to keep appropriate levels of off-street parking.

3.2 External

Parish Council - Comments awaited

Neighbours

46 Broadway West - object because the front extension will block sunshine and damage views of the house.

4.0 APPRAISAL

4.1 The key issues in assessing the proposal are:

The impact on the streetscene
The impact on neighbours living conditions
Parking and cycle/bin storage

4.2 Policy H7 'Residential Extensions' of the City of York Local Plan Deposit Draft sets out a list of design criteria against which proposals for house extensions are considered. The list includes the need to ensure that the design and scale are appropriate in relation to the main building; that proposals respect the character of the area and spaces between dwellings; and that there should be no adverse effect on the amenity that neighbouring residents could reasonably expect to enjoy.

4.3 Local Plan Policy GP1 'Design' states that development proposals will be expected to respect or enhance the local environment and be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and vegetation. The design of any extensions should ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 Planning Policy Statement 1 sets out the Government's overarching planning policies. It sets out the importance of good design in making places better for people and emphasises that development that is inappropriate in context or fails to take the opportunities available for improving an area should not be accepted.

4.5 The Council's Supplementary Planning Guidance "Guide to extensions and alterations to private dwelling houses" (paragraph 1.13) states that where a street or group of buildings has a well defined building line it should be retained. It is suggested that side extensions should be set back at least 0.5 metres from the front of the building. Extending forward of the building line should be avoided; only in exceptional circumstances will this be appropriate (for example, where the building line is not well defined, or the front gardens of properties in the vicinity or general area are well screened).

4.6 Impact on streetscene

In comparison to the previously refused application, the extension to the front of the property has been significantly modified and reduced. It is considered that the proposed alterations will have only a modest impact on the streetscene and would arguably add visual interest. The proposed extension would be set forward of the house by 1.2 metres, however, the proposed development clearly reads as a porch and does not dominate the property. Permitted development rights typically allow for porches to be erected to the front of dwellings providing they do not exceed 3 metres in height or 3 square metres in floor area.

4.7 Impact on neighbours living conditions

It is not considered that the level of projection to the front would be unduly harmful to the light and outlook of the attached property. The front extension would only project 1.2 meters and is more than 4 metres from the nearest ground floor window.

4.8 Number 42 is located across a driveway. It has a hallway and main kitchen window on its side elevation (there is also a small element of glazing to the rear of the kitchen). The side extension adjacent to the window constitutes "permitted development" and thus in isolation would not need consent. Although the rear part of the extension would have an impact on the outlook from, and light reaching, the kitchen window (the kitchen is of a 'galley design' and does not include a dining area) it is not considered that the harm is such as to justify refusal, particularly taking account of the relatively low eaves height of the roof, the driveway separation to the side elevation and its hipped roof design.

4.9 Impact on parking and storage

The proposal incorporates a cycle/bin storage area. There is space for a car to park on the drive and room to create additional parking within the curtilage if desired. It has been conditioned that the cycle storage area is retained. Although the desire from Highway Network Management to hard surface the front garden is recognised it is considered that because the extensions to the house are relatively modest, do not increase bed spaces and there is some available on-street parking it is not essential to condition this element.

5.0 CONCLUSION

5.1 The revised proposal is considered to be satisfactory. Previous concerns have been addressed and officers are satisfied that the revised proposal complies with Policies GP1 and H7 of the City of York Draft Local Plan and hence is recommended for approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 VISQ1 Matching materials

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

Drawing bdc 10.47.2 Rev 'A' received by the Local Planning Authority on 1 February 2011.

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

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), unless otherwise agreed in writing with the Local Planning Authority the proposed cycle store shall not be externally altered or converted to living accommodation.

Reason: To ensure that there is adequate storage space at the property.

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 impact on the streetscene and the effect on the amenity, light and outlook of adjacent occupiers. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

Contact details:

Author: Neil Massey Development Management Officer (Wed/Thurs/Fri)

Tel No: 01904 551352

Earswick Parish Council - Object on the grounds of:

Insufficient information on floor areas;

Overdevelopment of the site;

Size of extension will be oppressive and imposing and will block sunlight to neighbouring properties;

Density and scale is out of character with surrounding properties, and roofline appears higher than the existing roofline;

The increased depth would set a precedent for similar proposals in the future.

Response to neighbour consultation letters which expired on 16.02.11. - Letters of objection have been received from 5 neighbouring residents and from a planning consultant acting on behalf of neighbouring residents raising objections on the following grounds:

Insufficient time to make comment

Harm to outlook

Loss of views over rear gardens and fields beyond

Loss of light to garden areas

Daylight/sunlight assessment appears incorrect

Concern re increase in floor area to original dwelling

Overdevelopment of site, setting a precedent for future development.

Poor design and excessive scale

Possible parking issues which could lead to safety hazard

4.0 APPRAISAL

4.1 KEY ISSUES

- Visual impact on the dwelling and surrounding area;
- Impact on neighbouring properties

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 DRAFT LOCAL PLAN POLICY CYH7 states that residential extensions will be permitted where (i) the design and materials are sympathetic to the main dwelling and the locality (ii) the design and scale are appropriate to the main building (iii) there is no adverse effect upon the amenities of neighbours.

4.4 DRAFT LOCAL PLAN POLICY CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment, (ii) be of a density,

layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.5 Supplementary Planning Guidance 'A Guide to Extensions and Alterations to Private Dwelling Houses' March 2001 states that (1.12) Good design and a scale of development that respects the original dwelling and established pattern of development are essential to making a quality extension. An extension in the style of the existing dwelling is likely to be the most acceptable.

4.7 Relevant Planning History

Application No. 3/35/77/OA - Erection of 125 dwellings with associated garages, parish hall, car parking, bowling green, tennis court and public open space. Approved 12.05.95.

Application No. 03/00372/FUL - Erection of pitched roof single storey extension to side. Approved 06.06.03.

Application No. 03/03580/FUL - Two-storey pitched roof side extension. Approved 13.02.04.

ASSESSMENT

Impact upon the appearance of the dwelling and surrounding area.

4.8 The proposed extension is large in scale in relation to the original dwelling, however, being sited to the rear, will not be highly visible from the public domain. The width of the proposed extension projects out at the side of the original house by approximately 1 metre, though this is not considered to appear overly dominant when viewed from the highway. Some views of the extension will be seen from the riverside area to the side and rear, though again, it is not considered to be overly dominant.

4.9 The design of the extension with the gable feature to the side, being lower than the original, and all fenestration details and materials, are in keeping with the original dwelling. Though the footprint will be increased significantly, sufficient amenity space within the rear garden will still be maintained, with a rear garden depth of approximately 10 metres and an existing width of approximately 22 metres. It is considered that sufficient separation distances to neighbouring dwellings and gardens would be retained in order to preserve the character of the area, made up of relatively large detached dwellings sited within generous plots.

Impact upon neighbouring amenity

4.10 Only one first floor obscurely glazed window is sited within the side elevation of No. 15 Lock House Lane, facing the host property, and taking into account the good size of the rear garden and adequate separation distance proposed of approx. 8 metres from the extension to this neighbouring dwelling, it is not considered that any significant loss of light/overshadowing, loss of visual amenity, nor loss of privacy will occur.

4.11 Due to the orientation of the dwellings, size of surrounding gardens and adequate separation distances, it is not considered any loss of light to neighbouring dwellings nor significant overshadowing of neighbouring garden areas will occur. Windows within No. 19 Lock House look largely towards the existing side elevation and front garden area of the host and taking into account the existing small trees and shrubbery in place along the side boundary of this neighbouring, which will provide some screening of the proposed extension, it is not considered any significant loss of visual amenity will occur.

4.12 The appearance of the extension will be more significant to the occupiers of nos. 21, 23 and 25 Lock House Lane, although taking into account their orientation in relation to the host and intervening separation distances, which are all in excess of 20 metres, it not considered to be unduly prominent. Loss of a private view is not a consideration that can be taken into account as part of the planning process. A minimum separation distance of 25 metres would still be retained between first floor windows at the host and those neighbours to the rear at Nos 23 and 25 Lock House Lane, thus is not considered any significant additional loss of privacy will occur.

4.12 The number of bedrooms is not to be increased, thus sufficient car and cycle parking provision will be retained within the existing driveway and garage.

4.13 Concern has been raised as to the accuracy of the daylight/sunlight assessment submitted as part of the application, although a separate judgement has been made on these matters as part of the consideration of the application, as set out above.

5.0 CONCLUSION

It is considered that the proposal will not seriously harm the living conditions of nearby neighbours or the appearance of the dwelling within the surrounding area. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- | | | |
|---|-------|--------------------------------------|
| 1 | TIME2 | Development start within three years |
| 2 | VISQ1 | Matching materials |

3 PLANS1 Approved plans - Drwg nos 11.01.2 and 11.01.3 received on 13/01/2011

**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 impact on the residential amenity of neighbours and the impact upon the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and City of York Supplementary Planning Guidance to Householders (Approved March 2001)

Contact details:

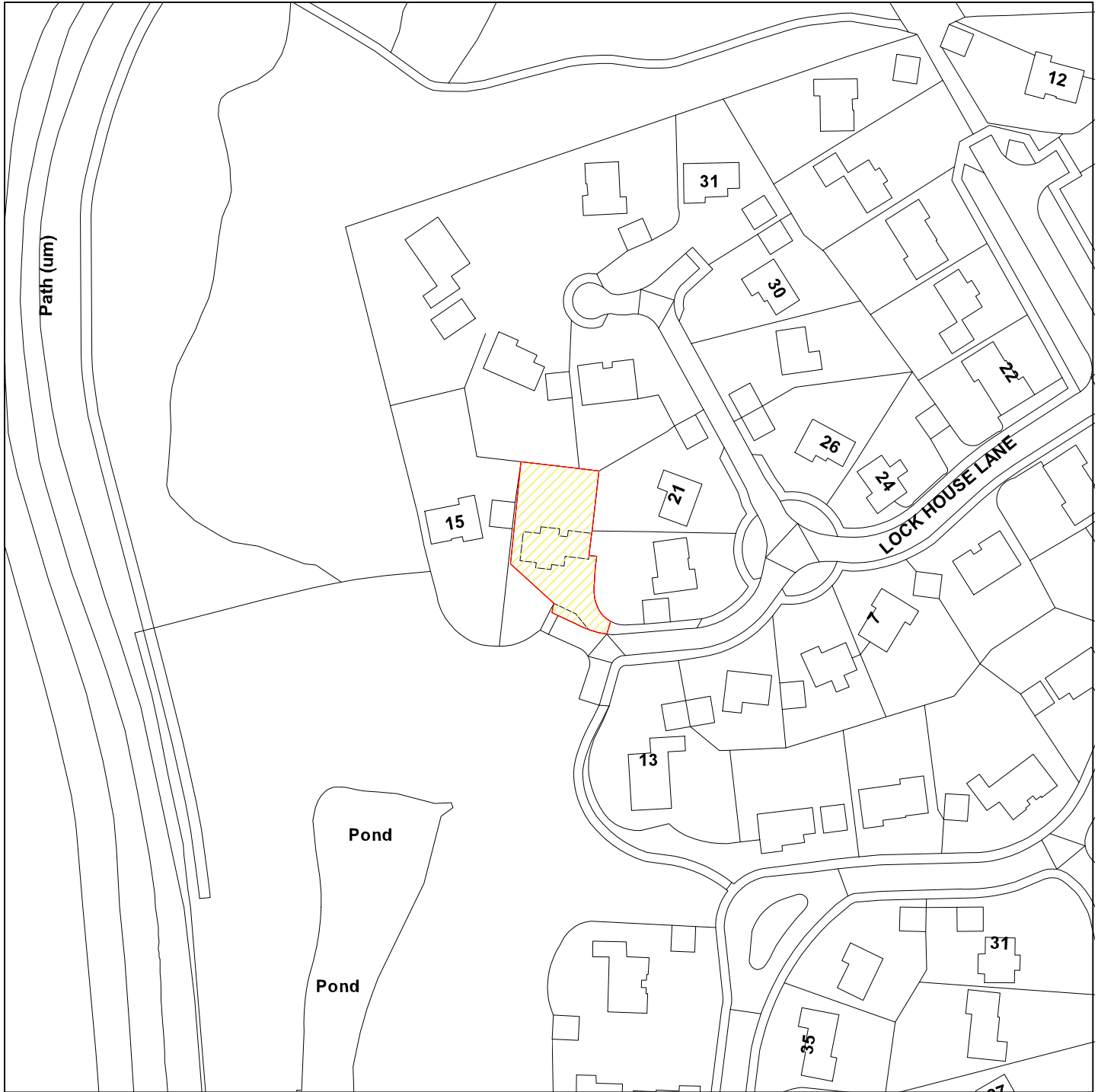
Author: Carolyn Howarth Development Management Assistant
Tel No: 01904 552405

17 Lockhouse Lane

11/00096/FUL



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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	28 February 2011
SLA Number	Not Set

COMMITTEE REPORT

Date: 10 March 2011 **Ward:** Huntington/New Earswick
Team: Major and Commercial **Parish:** Huntington Parish Council
Team

Reference: 11/00090/FULM
Application at: 31 Lea Way Huntington York YO32 9PE
For: Erection of 13 no. dwellings after demolition of existing house
(revised scheme)
By: Joseph Rowntree Housing Trust
Application Type: Major Full Application (13 weeks)
Target Date: 19 April 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 The application is for the erection of 13 dwellings comprising nine 2-bedroom houses and four 3-bedroom houses. The development would be served by a new access, to adoptable standards, from Lea Way. Each of the dwellings would have a private rear garden and off-street parking. The existing bungalow on the site would be demolished to enable the access to be provided. The new dwellings would be two storeys high except plots 8 and 9, which would have additional living accommodation in the roof space.

1.2 Planning permission was granted in 2007 (renewed in 2010) for the erection of 14 dwellings on the site (refs 07/01126/FULM and 10/00943/FULM). The current proposal is similar in character to the approved scheme in that it has the same access, similar massing and layout and the same trees to be retained. The main difference is in the provision of affordable housing. The previous applications were by a private developer. A condition was attached to the consent requiring affordable housing to be provided in accordance with council policy in force at that time (ie policy H2a of the local plan, which sought 50% of the development to be affordable). The current application is by a registered social landlord whose main reason for seeking consent is to provide affordable housing. To this end 10 of the units would be affordable and only three units (at plots 1, 2 and 12) would be for outright sale on the open market. Of the affordable homes, six would be shared ownership and three would be for social rent.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

2.2 Policies:

CYGP6
Contaminated land

CYGP1
Design

CYGP4A
Sustainability

CYGP9
Landscaping

CYGP10
Subdivision of gardens and infill devt

CYED4
Developer contributions towards Educational facilities

CGP15A
Development and Flood Risk

CYNE1
Trees, woodlands, hedgerows

CYNE6
Species protected by law

CYH2A
Affordable Housing

CYH5A
Residential Density

CYL1C
Provision of New Open Space in Development

CYT4
Cycle parking standards

3.0 CONSULTATIONS

3.1 Internal

Housing Development - Fully support the application. It provides an excellent opportunity to deliver ten much-needed affordable family houses. The scheme would provide a total of 13 high-quality houses designed to the exacting standards required by the Homes and Communities Agency (HCA).

Highway Network Management - No objections. The highway implications are not materially different from the approved scheme. Add conditions as previously.

Environment, Conservation, Sustainable Development (Countryside) - The previous (2007) comments still apply. Great crested newts have been found in a nearby pond and the site provides good habitat for them. An EPS licence will be required along

with a suitable mitigation plan to ensure that any potential impact is minimised, and to offset the loss of habitat. A condition should be attached to cover this. The development would provide a good opportunity to enhance the habitat for bats and other species known to use buildings. This could be covered by a condition requiring submission of a habitat management plan.

Environment, Conservation, Sustainable Development (Landscape) - The proposed tree planting is fine, but there is scope to include some specimen shrubs to provide a significant visual amenity. Include conditions requiring tree protection and submission of landscaping details.

Urban Design and Conservation (Archaeology) - This site lies outside the Area of Archaeological Importance but is considered to be an area of archaeological interest. Attach standard condition ARCH2 (watching brief) on any consent.

Education - A financial contribution of £37,935 would be needed to pay for two extra places at Huntington Secondary School, which is over-subscribed.

Environmental Protection Unit - No objections in principle. Add standard contamination and construction noise/dust conditions.

Structures & Drainage - No objection in principle. Drainage details are being assessed.

3.2 External

Huntington Parish Council - Objection: Overdevelopment. Overbearing impact. Out of keeping with the character of the area. Inadequate parking.

York Natural Environment Panel (YNEP) - Regret the loss of wildlife garden habitat contrary to policy GP10. Newt mitigation measures are welcomed. Attach tree protection condition.

Foss IDB - Add a condition requiring drainage details to be submitted to the local planning authority. Add a condition preventing development within 6m of a culverted watercourse.

Public Consultation - The consultation period ends on 1 March 2011. At the time of writing eight letters had been received raising the following planning issues:

Out of keeping with the single storey character of the area;

Overlooking from Plot 11;

Loss of natural habitats;

Impact on trees;

Inadequate parking;

Increase in traffic;

Inadequate drainage and sewerage;

Access too close to existing houses;

Impact on security of No.33 Lea Way;

Poor architectural quality;

Pressure on local schools and doctors.

4.0 APPRAISAL

4.1 KEY ISSUES

Principle of development for housing;
Density;
Highway issues;
Affordable housing;
Visual appearance;
Sustainability;
Impact on trees;
Impact on wildlife;
Neighbour amenity;
Drainage;
Impact on local services.

4.2 THE APPLICATION SITE

This consists of an extended dormer bungalow and its unusually large, partly overgrown, rear garden, which extends behind neighbouring dwellings. The site covers approximately 0.5ha. To the front and sides are the gardens of residential dwellings, which are mostly bungalows, in Lea Way. To the rear is open countryside. The site lies within the development limits of York but is otherwise unallocated in the Draft Local Plan. Some trees within the site and along the southern boundary are protected by a Tree Preservation Order (reference CYC 242). The area is known for having poor drainage. The strip of land immediately to the rear (east) of the site is designated open space (policy GP7) and as a recreational opportunity area (L1d). Beyond this strip the land is allocated for future employment.

4.3 POLICY FRAMEWORK

Local plan policy GP1 - Development proposals should be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and local character; respect or enhance the local environment; provide/protect amenity space; protect residential amenity; accord with sustainable design principles; include refuse facilities; and include, where appropriate, landscaping.

GP4a - All proposals should have regard to the principles of sustainable development.

GP9 - Where appropriate, development proposals should incorporate a suitable landscaping scheme that is an integral part of the proposals; includes an appropriate range of species, reflects the character of the area; enhances the attractiveness of key transport corridors; and includes a planting specification where appropriate.

H2a - The council will seek to ensure that proposals for all new housing development of 15 dwellings/0.3ha or more in the urban area and 2 dwellings/0.03ha or more in villages with less than 5,000 population will include affordable housing.

H5a - the scale and design of proposed residential developments should be compatible with the surrounding area and must not harm local amenity. Development densities should aim to achieve, 60 dwellings per hectare in city centre, 40 in urban areas and 30 elsewhere.

NE1- Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation, or historic value, will be protected by: refusing proposals, which will result in their loss or damage. When trees are to be removed, appropriate replacement planting should be proposed to mitigate any loss.

NE6 - Where a proposal may have a significant effect on protected species or habitats applicants will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures. Planning permission will only be granted that would not cause demonstrable harm to protected species.

GP6 - Planning applications on land that may have been contaminated should include a contamination assessment. Planning conditions will normally be used to secure remediation.

GP10 - Planning permission will only be granted for the sub-division of garden areas or infilling to provide new development where this would not be detrimental to the character and amenity of the local environment.

GP15a - Discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long-term run-off from development sites should always be less than the level of pre-development rainfall run-off.

ED4 - Any consequences for existing educational facilities will be assessed in accordance with the approved supplementary planning guidance. Where additional provision is necessary as a direct result of the proposal, developers shall be required to make a financial contribution toward the provision of such facilities.

L1c - Requires that all housing sites make provision for the open space needs of future occupiers. For sites of less than 10 dwellings a commuted payment will be required towards off site provision.

T4 - Seeks to promote cycling and states that all new development should provide storage for cycles in accordance with the standards in appendix E of the Local Plan.

PRINCIPLE OF DEVELOPMENT FOR HOUSING

4.4 The site is in a sustainable location within settlement limits and close to public amenities. The council accepted the site's suitability for housing when planning permission was granted in 2007 and renewed in 2010. The recent removal of domestic gardens from the definition of previously developed land does not change officers' opinion that the principle of the use of the site for housing is acceptable. In making decisions local planning authorities are still expected to secure the efficient use of land, which focuses new residential development on sites in sustainable locations.

DENSITY

4.5 The site area is 0.5ha, giving a housing density of 26dph. It includes a range of house types and sizes. The amount of development is acceptable bearing in mind the character of the area and the site's constraints, particularly mature trees. The recent removal of the 30dph development target from Planning Policy Statement 3 has not affected officers' assessment of the proposal.

AFFORDABLE HOUSING

4.6 The development would be built with funding from the HCA and Joseph Rowntree Housing Trust on a privately owned site where a developer would normally be required to provide a lower level of affordable housing. This development would contribute to meeting the large unmet demand for affordable family housing in York whilst creating a mixed, sustainable community. The proposal complies with the council's affordable housing policy.

HIGHWAY ISSUES

4.7 Access into the site would be from Lea Way, via the site of No.31, which would be demolished. The site entrance would include amendments requested by highways officers. Local residents are concerned that the additional car journeys generated by the development would increase congestion in the area and be a danger to pedestrians. Officers consider that the proposed access accords with council standards in terms of width and visibility and is appropriate for its expected usage. Moreover, that traffic generated by the development would have a negligible impact on the surrounding highway network. Parking provision and turning for vehicles, including refuse vehicles would be in accordance with council standards. Cycle storage for each dwelling would be provided. Planning permission should include the highways conditions attached to both of the previous applications.

VISUAL APPEARANCE

4.8 The development would have a suburban, albeit contemporary, appearance. Materials would reflect those used elsewhere in the area, including brick and render and supplemented by 'Trespa' panels. Local residents are concerned that the scale of the proposed buildings would be out of keeping with the character of the area. The existing dwellings along the boundary of the site are bungalows, many with large, prominent, rear dormers. The nearest new dwelling to these bungalows would be Unit 11, a 2-storey house. Whilst Unit 11 would be higher (at 8.2m to the ridge) than the existing bungalows the intervening distance to the existing dwellings would be at least 22m. It is not uncommon for bungalows and 2-storey houses to be adjacent to one another. In this case the intervening distance would prevent the new 2-storey houses appearing out of keeping with the character of the area.

SUSTAINABILITY

4.9 The site is in a sustainable location within development limits. It is close to public transport and local services. The applicant intends that the new dwellings would achieve Code for Sustainable Homes Level 4. This is above the council's current standards. A condition should be attached requiring the development to

achieve Level 3 as a minimum and for 10% of energy to come from renewable sources.

IMPACT ON TREES

4.10 The proposed arrangement of houses on the site avoids removal of, or harm to, protected trees. The council's landscape architect has assessed the impact on the trees and identified an exclusion zone, within which there should be no development. The proposal avoids the exclusion zone and is acceptable. Nevertheless conditions should be attached requiring retained trees to be protected and a landscaping scheme (including shrub planting and replacement of non-protected trees lost by the development) to be implemented.

IMPACT ON WILDLIFE

4.11 The site is not a designated site of nature conservation interest. Whilst the site does have suitable habitat for great crested newts (GCN) and is adjacent to a know GCN site a survey in 2010 has found that the proposal would not threaten the survival of the local newt population. Nor is it likely to have a significant impact on its overall size and resilience. The application includes a proposal to set aside the south-west part of the site as a newt mitigation area. Details should be made a condition of approval. Despite the site's potential for great crested newts none of the habitat on the site is of other conservation value.

NEIGHBOUR AMENITY

4.12 The nearest existing dwelling is over 22m from the nearest house for which consent is being sought (Plot 11). Therefore the proposal is unlikely to cause loss of sunlight, daylight or be overbearing. The house at Plot 11 originally had a landing window that would face, obliquely, the elevation of 35 Lea Way. Whilst the intervening distance would exceed the distance that is normally considered to be acceptable the applicant has removed the window from the proposals. Officers consider that none of the proposed dwellings would have a material impact on the amenity of existing residents.

4.13 The new access road would pass between the existing bungalows at Numbers 29 and 33 Lea Way. A side extension to No.29 lies very close to the proposed boundary fence/wall along the edge of the new road. The fence/wall would have to be carefully designed to mitigate any noise nuisance caused by vehicles whilst not having an overbearing impact on the occupiers of No.29. This could be dealt with by condition.

DRAINAGE

4.14 The site is flat and has clay soil. As a result the site has very poor drainage. Moreover the watercourses in the area, to which the surface water sewers would ultimately discharge, do not have the capacity to deal with any additional flows. The applicant recently submitted a drainage statement, which is now being considered by the council's drainage officers. They are satisfied that a suitable drainage arrangement, including attenuation, can be provided. Members will be updated at the meeting.

IMPACT ON LOCAL SERVICES

4.15 Officers consider that local services and amenities would be able to accommodate the additional demands created by the proposed development. Nevertheless, a financial contribution of £19,674 would be required to enhance public open space in the area and £37,935 to fund two places at Huntington Secondary School, which is presently over-subscribed. Conditions are recommended to address these matters.

5.0 CONCLUSION

5.1 The overall impact of the proposal would be very similar to the approved scheme in terms of character, appearance, neighbour amenity, trees, drainage, traffic, parking and bio-diversity. The application accords with relevant policies of the local plan and is acceptable subject to conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 2 The development hereby permitted shall be carried out only in accordance with the following plans: 1949-06-001, 1949-06-002/K, 1949-06-004, 1949-06-006/A, 1949-06-007, 1949-06-008/A, 1949-06-020/A, 1949-06-022/B, 1949-06-025/A and 1949-06-029.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the local planning authority.

3 VISQ8 Samples of exterior materials to be app

4 Details of all means of enclosure to the site boundaries and all boundary treatments within the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

5 The development hereby approved shall be constructed to at least Level 3* of Code for Sustainable Homes (CSH) standard. A formal Post Construction stage assessment, by a licensed CSH assessor, shall be carried out and a formal Post Construction stage certificate shall be submitted to the Local Planning Authority (LPA) prior to occupation of the building. Should the development fail to achieve level 3* of the Code a report shall be submitted for the written approval of the LPA demonstrating what remedial measures shall be undertaken to achieve Level 3 of the code. The remedial measures shall then be undertaken within a timescale to be approved in writing by the LPA.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of GP4a of the City of York Development Control Local plan and the Interim Planning Statement 'Sustainable Design and Construction'

6 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 10% of its predicted energy requirements from on-site renewable sources. 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 shall thereafter 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

7 No development shall commence on site until a scheme for the provision of affordable housing (Affordable Housing Plan) as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with Policy H2a of the Draft City of York Local Plan and the Affordable Housing Advice note adopted April 2005. The scheme shall include:-

- i) The numbers, type and location on the site of the affordable housing provision to be made
- ii) The timing of the provision of the affordable housing
- iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing
- iv) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and means by which such occupancy shall be enforced.

Reason: To comply with Policy H2a of the Council's Draft Local Plan (4th Set of Changes April 2005) and the aims of PPS1 and PPS3.

8 No development shall commence unless and until a scheme to ensure the provision of adequate additional secondary school places within the local catchment area has been submitted to and approved by the local planning authority.

Reason: The education provision within the catchment area of the development has insufficient capacity to take more pupils, such that additional places are required in the interests of the sustainable development of the city in accordance with Policy ED4 of the Development Control Local Plan and the Council's Supplementary Planning Guidance "Developer Contributions to Education Facilities" dated January 2005.

INFORMATIVE:

The provisions of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, The obligation should provide for a financial contribution calculated at £37,935. The basis for this calculation is contained within the Council's Supplementary Planning Guidance "Developer Contributions to Education Facilities" dated January 2005.

No development can take place on this site until the condition has been has been discharged and you are reminded of the Local Planning Authority's enforcement powers in this regard.

9 Notwithstanding the approved site layout, no development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. 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 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.

10 Before the commencement of development, including the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing and phased locations where appropriate, phasing of works, site access during site preparation/construction, type of construction machinery/vehicles to be used, (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles and storage of materials, location of marketing cabin. It is particularly important that the following details are also provided: construction details and existing and proposed levels, where a change in surface material and/or levels are proposed within the recommended root protection area of a tree.

Reason: To protect existing trees which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of the area and/or development.

11 No development shall commence on site until full details of a Great Crested Newt mitigation plan to offset the impact of the development has been submitted to and approved in writing by the local planning authority. The plan shall include the following:

- i. A Wildlife Protection Plan of how development work to be carried out will take account of the presence of Great Crested Newts;
- ii. Details of the mitigation/compensation provision to be made to replace the habitat lost through development to ensure that there is no significant impact on the population overall;

- iii. The measures to ensure that no Great Crested Newt would be harmed by the development work;
- iv. The timing of all operations.

The mitigation plan shall thereafter be implemented on site in accordance with a timetable previously agreed in writing with the local planning authority.

Reason: In the interest of protecting a protected species and its habitat.

12 No development shall take place until a habitat management plan has been submitted to and approved by the local planning authority. The plan shall include:

- (i) Description and evaluation of the features to be managed;
- (ii) Aims and objectives of management;
- (iii) Appropriate management options for achieving aims and objectives;
- (iv) Prescriptions for management actions;
- (v) Personnel responsible for implementation of the plan;
- (vi) Monitoring and remedial/contingencies measures triggered by monitoring.

The works shall be implemented in accordance with the approved details and timing unless otherwise previously approved in writing by the local planning authority.

Reason - to take account of and to enhance the habitat for a protected species.

13 Prior to commencement of the development, a Construction Environmental Management Scheme for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development and which shall include details for the unloading of delivery vehicles and measures to prevent dirt from being transferred on to the highway shall be submitted to and approved in writing by the Local Planning Authority before the commencement of site operations. 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.

14 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 and E of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents and the long term health of protected trees the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

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

Reason: To protect the amenities of adjacent residents.

- 16 ARCH2 Watching brief required
- 17 HWAY1 Details roads,footpaths,open spaces req.
- 18 HWAY7 Const of Roads & Footways prior to occupation
- 19 HWAY13 Access to be improved
- 20 HWAY19 Car and cycle parking laid out
- 21 HWAY40 Dilapidation survey

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

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

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £19,674.

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

23 In the event that contamination is found at any time when carrying out the approved development, the findings shall be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment shall be undertaken and, where remediation (clean-up) is necessary, a remediation scheme shall be submitted and approved in writing by the local planning authority and implemented. Following completion of the measures identified in the approved remediation scheme a verification report shall be submitted to the local planning authority and approved in writing.

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.

INFORMATIVE

Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part 2A of the Environmental Protection Act 1990.

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 development for housing; density; visual appearance; landscaping; contamination, sustainability; impact on trees; impact on wildlife; neighbour amenity; access, parking and highway safety; drainage; affordable housing; impact on local services and construction impact. As such the proposal complies with Policies GP1, GP4a, GP6, GP9, GP10, ED4, GP15a, NE1, NE6, H2a, H5a, L1c and T4 of the City of York Local Plan Deposit Draft.

2. CONSENT FOR HIGHWAY WORKS

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: Adoption of highway - Section 38 - Mr M Kitchen 01904 551336

Contact details:

Author: Kevin O'Connell Development Management Officer

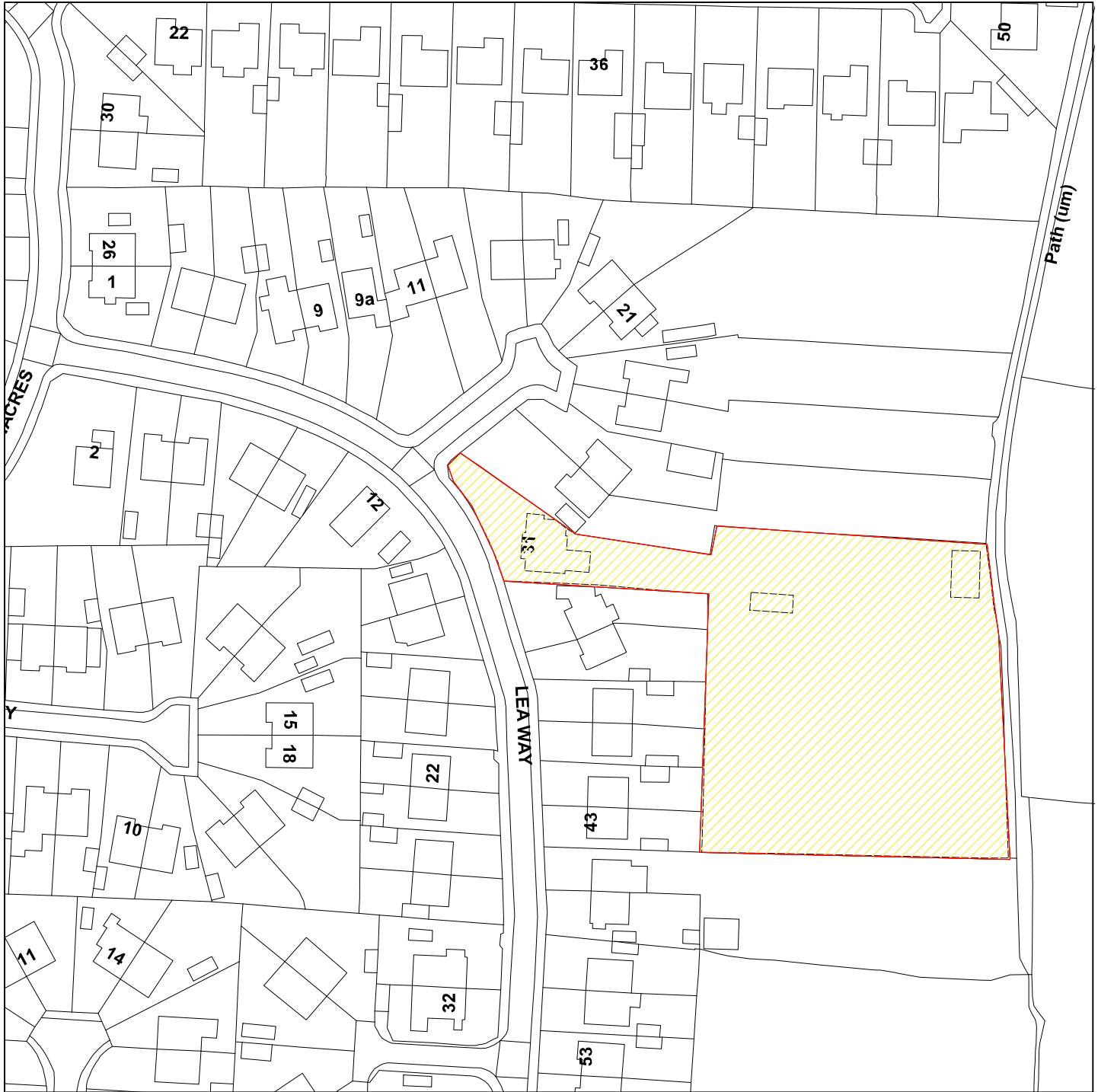
Tel No: 01904 552830

31 Lea Way, Huntington

11/00090/FULM



GIS by ESRI (UK)



Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	28 February 2011
SLA Number	Not Set

COMMITTEE REPORT

Date: 10 March 2011 **Ward:** Huntington/New Earswick
Team: East Area **Parish:** New Earswick Parish Council

Reference: 10/00424/LBC
Application at: Hawthorn Terrace South New Earswick York
For: Installation of replacement white timber double glazed windows at 1-16 Hawthorn Terrace
By: Joseph Rowntree Housing Trust
Application Type: Listed Building Consent
Target Date: 19 May 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 Members may recall that this application was considered at Planning Committee on the 10th June 2010. At that time the officer recommendation was that listed building consent should be refused. However, a decision on the application was deferred to enable further negotiations to take place with the applicant on the design of the windows.

1.2 This is a listed building consent application for the installation of replacement white timber double glazed windows at numbers 1 to 16 (inclusive) Hawthorne Terrace, New Earswick.

1.3 The application relates to the following entries in the Statutory List of Buildings of Special Architectural or Historic Interest;

- No.'s 1-4 (consecutive) Hawthorn Terrace, New Earswick. Terrace consisting of two pairs of cottages, built in 1907 to a design by Parker and Unwin for the Joseph Rowntree Village Trust. Grade II Listed Buildings.
- No.'s 5-8 (consecutive) Hawthorn Terrace, New Earswick. Terrace consisting of two pairs of cottages, built in 1907 and designed by Parker and Unwin for the Joseph Rowntree Village Trust. Grade II Listed Buildings.
- No.'s 9-12 (consecutive) Hawthorn Terrace, New Earswick. Terrace of four cottages, built circa 1907 and designed by Parker and Unwin for the Joseph Rowntree Village Trust. Grade II Listed Buildings.
- No.'s 13-16 (consecutive) Hawthorn Terrace, New Earswick. Terrace consisting of two pairs of cottages, built circa 1909-1914 and designed by Parker and Unwin for the Joseph Rowntree Village Trust. Grade II Listed Buildings.

1.4 The group of Grade II Listed Buildings is situated in New Earswick, established in 1901 as a garden village by Joseph Rowntree, the chocolate manufacturer. The masterplan and building designs are those of Barry Parker and Raymond Unwin, pioneers of the Garden City movement.

1.5 In 1986, some 222 domestic dwelling houses in New Earswick were included in the Statutory List of Buildings of Special Architectural or Historic Interest as Grade II Listed Buildings. The majority of the listed dwelling houses are situated to the east of Haxby Road. In 1991, New Earswick was designated as a Conservation Area.

1.6 Joseph Rowntree Housing Trust is seeking to improve the thermal performance of rented houses in New Earswick for their tenants. 127 of the listed dwelling houses in the village have 230mm thick solid external brick walls rather than cavity walls. In order to improve the thermal performance of these properties it is proposed to install double glazed timber framed window replacements and dry lining to the inside face of external walls (the drylining proposals, to which there were no objections, have already been approved under delegated powers). This initial application relates to 16 dwellings located on Hawthorn Terrace. A further application has been submitted for similar works to properties at 1-20 Ivy Place (Planning Reference 10/00427/LBC), also to be considered on this agenda.

1.7 The existing windows incorporate slender frames with fine glazing bars that replicate the proportions of the glazing of the original windows (Refer Brochure: New Earswick, York, published by the Joseph Rowntree Village Trust in July 1913.)

1.8 The current design philosophy is to replace the arrangement of the sashes and method of opening to match the existing windows. The external reveal depth will remain the same as existing. The windows are to be timber constructed double glazed units.

1.9 The amended application includes a supporting statement, incorporating a design and access statement. The original application was also supported by an assessment of the proposed window replacements with regard to national heritage planning policies including an additional statement considering the proposal against the new Planning Policy Statement 5 'Planning for the Historic Environment'. These documents remain appropriate to the consideration of the amended proposals.

1.10 The main change to the design of the windows is that the sashes are glazed from inside rather than outside thus allowing heavy glazing beads to be removed. The thickness of the double-glazing units has been reduced from 28mm to 24mm. The modern ironmongery has been changed to a more traditional "rat tail" handle.

1.11 The original application was called into committee by Cllr Runciman 'due to the concerns of residents that their homes should reach a decent standard as soon as possible and that these applications are of significant importance for the future of sustainable measures in New Earswick.'

Planning History

1.12 Listed building consent was refused for the installation of the same design of double glazed window in January 2010. That application included internal dry lining of the walls. The reasons for refusal related to the detail of the particular window and the lack of information on other measures that could be employed to improve thermal efficiency. (The dry lining proposals were not controversial and were re-submitted as separate applications).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area New Earswick CONF

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYHE3

Conservation Areas

CYHE4

Listed Buildings

CYGP4A

Sustainability

3.0 CONSULTATIONS

INTERNAL

3.1 Conservation Officer - The Conservation Officer has commented extensively in relation to this development and these comments are incorporated into the report. Overall the Conservation Officer considers that the revised designs for replacement windows are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area. Conditions are requested in relation to some details of the design of the scheme.

EXTERNAL

3.2 New Earswick Parish Council - Support the application

3.3 Conservation Areas Advisory Panel -The amended proposals were taken to Conservation Area Advisory Committee in December. Their comments were that the drip moulds were generally not supported, suggestions were made that would improve the appearance. It was pointed out that the details of the internal spacer bars of the double glazed unit were not shown on the drawing yet were on the sample. The panel also felt that the interior beading detail to the frame was too fussy.

3.4 At the Conservation Advisory meeting in February 2011 the Panel were informed that their concerns had been incorporated into the amended designs. No more comments were made.

PUBLICITY

3.5 The application was originally advertised by means of a site notice dated 6th April 2010 and by newspaper advert dated the 7th April 2010. Neighbour notification letters were also sent. A further site notice was placed on the site on the 24th January 2011 following receipt of the amended details and neighbours were re-notified. No comments have been received.

4.0 APPRAISAL

4.1 Key issue

- Consideration of the effect of the development on the Special Interest of the Listed buildings

4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining whether to grant listed building consent for any works the Local Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4.3 Since the submission of this Listed Building Consent application, and indeed the consideration of the previously refused application for the same development, Planning Policy Statement 5: Planning for the Historic Environment,(PPS5) and the Historic Environment Planning Practice Guide have been published on 23 March 2010. PPS5 sets out the Government's national policies on planning for the conservation of the historic environment and supersedes previous advice set out within Planning Policy Guidance Note 15.

4.4 PPS5 states that the Government's objectives are to deliver sustainable development by ensuring that policies and decisions concerning the historic environment;

- recognise that heritage assets are a non-renewable resource
- take account of the wider social, cultural, economic and environmental benefits of heritage conservation; and
- recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term.

4.5 Elements of the historic environment that are worthy of consideration in planning matters are referred to as 'heritage assets', including buildings, parks and gardens, standing, buried and submerged remains, areas, sites and landscapes. Listed Buildings are considered to be 'designated assets'.

4.6 PPS 5 contains a number of policies to assist in the decision making process. Policy HE1: Heritage Assets and Climate Change says Local Planning Authorities should consider opportunities for the modification of heritage assets so as to reduce carbon emissions and secure sustainable development. However, where such proposals to mitigate climate change have a potentially negative effect on heritage assets local authorities should help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.

4.7 Policy HE7: Policy principles guiding the determination of applications for consent relating to all heritage assets states 'the key to sound decision-making is the identification and understanding of the differing, and perhaps conflicting, heritage impacts accruing from the proposals and how they are to be weighed against both each other and any other material planning considerations that would arise as a result of the development proceeding'.

4.8 Policy HE9: Additional Policy Principles Guiding the Consideration of Applications for Consent relating to Designated Heritage Assets. This policy considers that there should be a presumption in favour of the conservation of designated heritage assets and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where it is considered that a proposal has a harmful impact on the significance of a designated heritage asset, which is less than substantial harm, local planning authorities should weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm.

4.9 PPS5 Historic Environment Planning Practice Guide (The Guide) has been published to assist with the interpretation of PPS5 and requires at Paragraph 14 that the 'nature of the interest and the significance of the interest' is identified and defined. Significance, as defined in the PPS, encompasses all of the different interests that might be grounds for designating a heritage asset. Paragraph 17 states 'applications will have a greater likelihood of success and better decisions will be made when applicants and local planning authorities assess and understand the particular nature of the significance of an asset, the extent of the assets fabric to which the significance relates and the level of importance of that significance'. Paragraph 74 requires local planning authorities to use expert advice to inform their decision-making where they need to understand the particular significance of a heritage asset and any proposed impact demands it.

4.10 The Guide makes reference to the scale of heritage assets. Due to the large number of designated heritage assets or listed buildings situated within New Earswick village, this cluster should be considered as a 'large asset'. Paragraph 174 of the Guide states that, 'An inconsistency of approach to repair and restoration because of different ownership, or in methods and techniques may result in a loss of significance by obscuring the evidential value of the asset as a whole.'

4.11 The Guide, paragraph 185, states that, 'The insertion of new elements such as doors and windows is quite likely to adversely affect the building's significance. New elements may be more acceptable if account is taken of the character of the building'.

4.12 POLICY HE3 of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes seeks to protect the character and appearance of Conservation Areas. Supporting text of the policy further states that the elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.

4.13 POLICY HE4 of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes states that Listed Building consent will only be granted for internal or external alterations when there is no adverse effect on the character, appearance or setting of the listed building.

4.14 Policy GP4a of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes'. 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development and sets out those issues to consider as part of a sustainably designed development.

Consideration of the Effect of the development on the Special Interest of the Listed Buildings

4.15 This listed building application is for the insertion of replacement windows within 16 listed properties forming part of a total of 120 such properties within New Earswick. An application for the replacement of the windows was refused in January 2010. This application has been amended since its submission to improve the design of the window in order to better reflect the existing window detail. The amendments include the internal glazing of the sashes allowing heavy glazing beads to be removed. The thickness of the double-glazing units has been reduced from 28mm to 24mm. The modern ironmongery has been changed to a more traditional rat-tail handle.

4.16 The application, like the original submission, is supported by a specialist report by Roger Wools and Associates, Heritage Consultants; this report was updated by the submission of an additional statement to address new guidance in PPS5. The report supported the original window design. The updated design and access statement supporting the amended window details confirms that the principles set out in the original heritage report still apply.

4.17 The heritage statement concludes:-

- Having viewed the application against the new PPS5 and accompanying practice guide it is concluded that the special interest of the listed buildings would be preserved i.e. not harmed
- PPS5 states that it is the duty of the decision maker to weigh any potential loss of interest that it might judge to occur against other wider planning policies including PPS22 on climate change.
- There are no significant changes between PPG15 and PPS5 that would militate against the approval of the submitted development. The PPS does however incorporate recent Government policy on climate change and the need to address these issues. This is new in terms of heritage policy and a material consideration that adds support to the applications.

4.18 The Local Planning Authority is required by PPS5 Historic Environment Planning Practice Guide, Paragraph 14 and 17 to identify and define the 'nature of the interest and the significance of the interest'. With regard to the Listed Buildings

at nos 1-16 Hawthorn Terrace, New Earswick, the general criteria for assessment of the current proposals are considered in the following section;

i. The buildings and layout for New Earswick were designed by the architects, Barry Parker and Raymond Unwin, notable as pioneers of the Garden City movement, and of national significance. Parker and Unwin closely considered the harmonious relationship between adjacent buildings and between buildings and their settings within the village. The simplicity of the design of the village architecture followed Morris' ideals of truth of materials and honesty of construction. Unifying features in the design of the dwelling houses are the gables, hipped roofs and design of the fenestration, where windows are formed of multiples of a single standardised glass pane. Standardisation of design and materials formed a unifying element of the village architecture. The special architectural and historic interest of the Listed dwelling houses at New Earswick is defined by the design philosophy employed by Parker and Unwin in the layout, architectural design of buildings and spaces that exist at New Earswick.

ii. Parker and Unwin's standardised designs for terraces of cottages in New Earswick are of national significance as prototypes of municipal housing developed in Britain from the 1920's onwards as part of the 'Homes for Heroes' building campaign. As stated in the list descriptions for no.s 1-16 Hawthorn Terrace, 'The particular significance of New Earswick lies in its contribution to the development of low cost housing in Britain. Experience gained and practices introduced here were incorporated extensively into the Tudor Walters Report of 1918, which was instrumental in the passing of the Addison Act of 1919. Plans from New Earswick influenced the Government Manual on low cost housing which followed the Act.' As stated in section i., it is Parker and Unwin's layout, design, and materials of the cottages at New Earswick that defines the special architectural and historic interest of the buildings.

iii. The unity of the scale, design and materials of this group of dwelling houses at no.s 1-16 Hawthorn Terrace is consistent within this part of New Earswick, to the east of Haxby Road. The Listed Buildings 'share the particular architectural forms or details of other buildings nearby'. The standardised design of the dwelling houses including the gables, roofs and fenestration pattern arranged within a masterplan designed by Parker and Unwin, forms part of the special architectural and historic interest of this group of Listed Buildings and is recognised in the designation of New Earswick as a Conservation Area.

4.19 The Conservation Officer acknowledges that, in principle, the installation of double glazed timber framed windows to the listed dwelling houses is likely to improve the thermal performance of the buildings, enhance the living conditions of tenants and bring associated benefits to the local community. The Conservation Officer considers that the amended window designs are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area for the following reasons:-

l) Thickness of the frame and the ratio of the glazing to the timber frame. The revised designs for replacement windows are for internally glazed sashes. The proposed windows have a simple external finish that resembles traditional 'puttied in'

glazing, without the need for external glazing beads, which reduces the appearance of the thickness of the frame.

II) Thickness of the double glazed unit and appearance of the spacer bar. The thickness of the double glazed unit has been reduced from 28mm to 24 mm (4mm-16mm-4mm). The reduced thickness of the double glazed units will reduce the level of visual intrusion of the bronze coloured spacer bars when viewed from the exterior. The black neoprene gaskets have been omitted from the revised design of the replacement windows resulting in a simplified design and a further reduction in visual intrusion.

III) Applied or 'stuck on' surface mounted glazing bars to external face of double glazed unit. The design of the applied glazing bars has been revised to a slim, traditional profile. The alterations to the profile and width of the applied glazing bars and the removal of the external glazing beads from the revised window design has resulted in the applied glazing bars appearing less visually intrusive. Design issues remain to be resolved where the applied glazing bars meet the frame but this can be dealt with through a condition.

IV) Timber beads and aluminium beads at base of double glazed unit. Applied external glazing beads do not form part of the revised proposals. The revised designs are for internally glazed sashes; therefore external glazing beads are no longer required. Design issues remain to be resolved regarding the profile of the suggested 'putty line' to the frame, which has a rounded profile in the submitted plans. A condition is proposed to deal with this matter.

V) Visible horizontal gap beneath base of sash window and frame. A relatively small visible gap remains between the base or bottom rail of the sash window and the outer frame to accommodate the egress hinge. Due to the removal of the aluminium external bead at the base of the sash, the small visible gap between the sash and the frame does not appear visually intrusive.

VI) Use of friction hinges and modern ironmongery/handles. To address concerns regarding the visual impact of standard friction hinges, which create a visual separation between the open sash and the frame, the revised designs incorporate an egress hinge which reduces the gap between the sash and the frame when the window is in normal use, whilst for cleaning purposes, the hinge is released creating a wider gap to enable access to the outer face of the glass. Modern ironmongery and handles have been replaced by the installation of traditional rat-tail handles. The submission of further details of the egress hinge and rat-tail handles are to be conditioned.

4.20 The Conservation Officer's conclusion is that the revised designs will not harm the significance of the individual heritage assets or, collectively, the 'large asset' (see paragraph 4.10) or group of listed buildings of New Earswick. The application is therefore considered to accord with the principles set out in PPS5 and Local Plan Policy in HE3, HE4 and GP4a and can now be supported.

5.0 CONCLUSION

5.1 PPS5 states that the Government's objectives are to deliver sustainable development by ensuring that policies and decisions concerning the historic environment:

- recognise that heritage assets are a non-renewable resource
- take account of the wider social, cultural, economic and environmental benefits of heritage conservation; and
- recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term.

5.2 The Conservation Officer considers that the amended window designs are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area.

5.3 The Conservation Officer's conclusion is that the revised designs will not harm the significance of the individual heritage assets or, collectively, the 'large asset' (see paragraph 4.10) or group of listed buildings of New Earswick. The application is therefore considered to accord with the principles set out in PPS5 and Local Plan Policy in HE3, HE4 and GP4a and is recommended for approval.

6.0 RECOMMENDATION: Approve

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

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

Drawing No. 07757/110
Drawing No. 07757/111 rev B
Drawing No. 07757/112 rev A
Drawing No. 07757/113 rev A
Drawing No. 07757/114 rev B
Drawing No. 07757/108 rev B
Drawing No. 07757/105 rev B
Drawing No. 07757/104 rev A
Drawing No. 07757/101 rev A
Drawing No. 07757/107 rev B
Drawing No. 07757/106
Drawing No. 07757/103
Drawing No. 07757/108-2 rev C
Drawing No. 07757/102 rev B
Drawing No. 07757/102-2
Drawing No. 07757/105-2
Drawing No. 07757/109

Reason: For the avoidance of doubt and to ensure that the development is carried

out only as approved by the Local Planning Authority.

3 Notwithstanding the details shown on the submitted plans, details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and the works shall thereafter be carried out in accordance with the approved details;

a. Large scale drawing of the profile of the applied glazing bars where bars meet sash frame and detailed specifications of means of infilling visible gap between applied glazing bars and sash frame.

b. Large scale details of profile of frame to replicate putty line to external face of sashes.

c. Details and specifications of egress hinge for replacement windows.

d. Design of rat tail handles proposed to opening sashes of the replacement windows.

e. The detail, location and proportions of the 'fixed sash mid rail' to side hung casements.

Note: A sample window should be submitted to enable assessment of the visual relationship between a side hung casement with fixed sash mid rail and adjacent top hung and side opening casements.

f. Details of the top hung lower sashes proposed to the front elevations of bay windows to nos 1-4 and 5-8 Hawthorn Terrace, refer drawings 07757/102-2 and 07757/105-2 Typical Window Type: W1(Bay Window), to be consistent with methods of opening of the existing windows.

g. Details of the top hung windows to nos 1-4 and 5-8 Hawthorn Terrace, refer drawings 07757/102-2 and 07757/105-2 Typical Window Type: W2 to be consistent with the method of opening of the existing small scale windows.

Reason: So that the Local Planning Authority may be satisfied that these details are in the interests of the historic character of the listed building and to accord with advice contained within Planning Policy Statement 5 and the contents of Policy HE4 of the City of York Draft Local Plan.

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 impact on the special architectural and historic interest of the listed buildings. As such, the proposal complies with national planning advice contained within Planning Policy Statement 5 " Planning for the Historic Environment" and Policies HE3, HE4 and GP4a of the City of York Development Control Local Plan Incorporating the 4th Set of Changes (2005);

Contact details:

Author: Diane Cragg Development Management Officer (Mon/Tues)

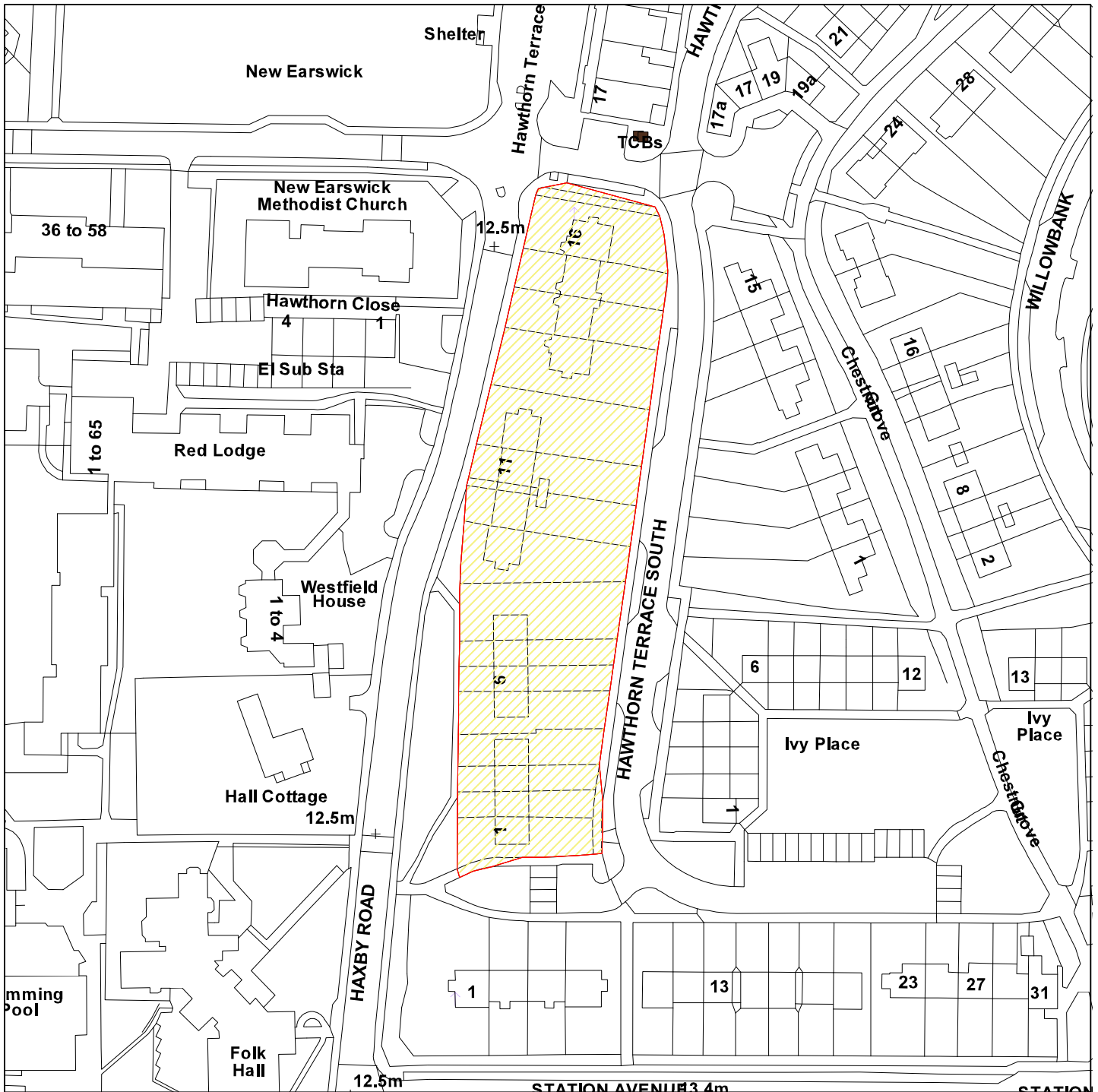
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Hawthorn Terrace South

10/00424/LBC



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Scale : 1:1250

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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	28 February 2011
SLA Number	Not Set

COMMITTEE REPORT

Date: 10 March 2011
Team: East Area
Ward: Huntington/New Earswick
Parish: New Earswick Parish Council

Reference: 10/00427/LBC
Application at: Ivy Place New Earswick York
For: Replacement white timber double glazed windows to 1-20 Ivy Place (resubmission)
By: Joseph Rowntree Housing Trust
Application Type: Listed Building Consent
Target Date: 19 May 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 Members may recall that this application was considered at Planning Committee on the 10th June 2010. At that time the officer recommendation was that listed building consent be refused. However, a decision on the application was deferred to enable further negotiations to take place with the applicant on the design of the windows

1.2 This is a listed building consent application for the installation of replacement white timber double glazed windows at numbers 1 to 20 (inclusive) Ivy Place, New Earswick.

1.3 The application relates to the following entries in the Statutory List of Buildings of Special Architectural or Historic Interest;

- No.'s 1 - 5 (consecutive) Ivy Place, New Earswick. Terrace. 1910. Designed by Parker and Unwin for the Joseph Rowntree Village Trust.
- No.'s 6 - 12 (consecutive) Ivy Place, New Earswick. Terrace. 1910. Designed by Parker and Unwin for the Joseph Rowntree Village Trust.
- No.'s 13 - 15 (consecutive) Ivy Place, New Earswick. Terrace. 1910. Designed by Parker and Unwin for the Joseph Rowntree Village Trust.
- No.'s 16 - 20 (consecutive) Ivy Place, New Earswick. Terrace 1910. Designed by Parker and Unwin for the Joseph Rowntree Village Trust.

1.4 The group of Grade II Listed Buildings is situated in New Earswick, established in 1901 as a garden village by Joseph Rowntree, the chocolate manufacturer. The masterplan and building designs are those of Barry Parker and Raymond Unwin, pioneers of the Garden City movement.

1.5 In 1986, some 222 domestic dwelling houses in New Earswick were included in the Statutory List of Buildings of Special Architectural or Historic Interest as Grade II Listed Buildings. The majority of the listed dwelling houses are situated to the east of Haxby Road. In 1991, New Earswick was designated as a Conservation Area.

1.6 Joseph Rowntree Housing Trust is seeking to improve the thermal performance of rented houses in New Earswick for their tenants. 127 of the Listed dwelling houses in the village have 230mm thick solid external brick walls rather than cavity walls. In order to improve the thermal performance of these properties it is proposed to install double glazed timber framed window replacements and dry lining to the inside face of external walls (the drylining proposals, to which there were no objections, have already been approved under delegated powers). This initial application relates to 20 dwellings located on Ivy Place. A further application has been submitted for similar works to properties at 1-16 Hawthorn Drive (Planning Reference 10/00424/LBC), also to be considered on this agenda.

1.7 The existing windows are comprised of slender frames with fine glazing bars that replicate the proportions of the glazing of the original windows (Refer Brochure: New Earswick, York, published by the Joseph Rowntree Village Trust in July 1913.)

1.8 The current design philosophy is to replace the arrangement of the sashes and method of opening to match the existing windows. The external reveal depth will remain the same as that existing. The windows are to be timber constructed double glazed units.

1.9 The amended application includes a supporting statement incorporating a design and access statement. The original application was also supported by an assessment of the proposed window replacements with regard to national heritage planning policies including an additional statement considering the proposal against the new Planning Policy Statement 5 'Planning for the Historic Environment'. These documents remain appropriate to the consideration of the amended proposals.

1.10 The main changes to the design of the windows is that the sashes are glazed from inside rather than outside thus allowing heavy glazing beads to be removed. The thickness of the double-glazing units has been reduced from 28mm to 24mm. The modern ironmongery has been changed to a more traditional "rat tail" handle.

1.11 The original application was called into committee by Cllr Runciman 'due to the concerns of residents that their homes should reach a decent standard as soon as possible and that these applications are of significant importance for the future of sustainable measures in New Earswick.'

Planning History

1.12 Listed building consent was refused for the installation of the same design of double glazed window in January 2010. That application included internal dry lining of the walls. The reasons for refusal related to the detail of the particular window and the lack of information on other measures that could be employed to improve thermal efficiency. (The dry lining proposals were not controversial and were re-submitted as separate applications).

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area New Earswick CONF

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYHE3

Conservation Areas

CYHE4

Listed Buildings

CYGP4A

Sustainability

3.0 CONSULTATIONS

INTERNAL

3.1 Conservation Officer - The Conservation Officer has commented extensively in relation to this development and these comments are incorporated into the report. Overall the Conservation Officer considers that the revised designs for replacement windows are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area. Conditions are requested in relation to some details of the design of the scheme.

EXTERNAL

3.2 New Earswick Parish Council - Support the application

3.3 Conservation Areas Advisory Panel -The amended proposals were taken to Conservation Area Advisory Committee in December. Their comments were that the drip moulds were generally not supported, suggestions were made that would improve the appearance. It was pointed out that the details of the internal spacer bars of the double glazed unit were not shown on the drawing yet were on the sample. The panel also felt that the interior beading detail to the frame was too fussy.

3.4 At the Conservation Advisory meeting in February 2011 The Panel were informed that their concerns had been incorporated into the amended designs. No more comments were made.

PUBLICITY

3.5 The application was originally advertised by means of a site notice dated 6th April 2010 and by newspaper advert dated the 7th April 2010. Neighbour notification letters were also sent. A further site notice was placed on the site on the 24th January 2011 following receipt of the amended details and neighbours were re-notified. No comments have been received.

4.0 APPRAISAL

4.1 Key issue

- Consideration of the effect of the development on the Special Interest of the Listed buildings

4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that in determining whether to grant listed building consent for any works the Local Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4.3 Since the submission of this Listed Building Consent application, and indeed the consideration of the previously refused application for the same development, Planning Policy Statement 5: Planning for the Historic Environment,(PPS5) and the Historic Environment Planning Practice Guide have been published on 23 March 2010. PPS5 sets out the Government's national policies on planning for the conservation of the historic environment and supersedes previous advice set out within PPG15.

4.4 PPS5 states that the Government's objectives are to deliver sustainable development by ensuring that policies and decisions concerning the historic environment;

- recognise that heritage assets are a non-renewable resource
- take account of the wider social, cultural, economic and environmental benefits of heritage conservation; and
- recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term.

4.5 Elements of the historic environment that are worthy of consideration in planning matters are referred to as 'heritage assets', including buildings, parks and gardens, standing, buried and submerged remains, areas, sites and landscapes. Listed Buildings are considered to be 'designated assets'.

4.6 PPS 5 contains a number of policies to assist in the decision making process. Policy HE1: Heritage Assets and Climate Change says Local Planning Authorities should consider opportunities for the modification of heritage assets so as to reduce carbon emissions and secure sustainable development. However, where such proposals to mitigate climate change have a potentially negative effect on heritage assets, local authorities should help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.

4.7 Policy HE7: Policy principles guiding the determination of applications for consent relating to all heritage assets states 'the key to sound decision-making is the identification and understanding of the differing, and perhaps conflicting, heritage impacts accruing from the proposals and how they are to be weighed against both each other and any other material planning considerations that would arise as a result of the development proceeding'.

4.8 Policy HE9: Additional Policy Principles Guiding the Consideration of Applications for Consent relating to Designated Heritage Assets. This policy considers that there should be a presumption in favour of the conservation of designated heritage assets and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where it is considered that a proposal has a harmful impact on the significance of a designated heritage asset, which is less than substantial harm, local planning authorities should weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm.

4.9 PPS5 Historic Environment Planning Practice Guide (The Guide) has been published to assist with the interpretation of PPS5 and requires at Paragraph 14 that the 'nature of the interest and the significance of the interest' is identified and defined. Significance, as defined in the PPS, encompasses all of the different interests that might be grounds for designating a heritage asset. Paragraph 17 states 'applications will have a greater likelihood of success, and better decisions will be made, when applicants and local planning authorities assess and understand the particular nature of the significance of an asset, the extent of the assets fabric to which the significance relates and the level of importance of that significance'. Paragraph 74 requires local planning authorities to use expert advice to inform their decision-making where the need to understand the particular significance of a heritage asset and any proposed impact demands it.

4.10 The Guide makes reference to the scale of heritage assets. Due to the large number of designated heritage assets or listed buildings situated within New Earswick village, this cluster should be considered as a 'large asset'. Paragraph 174 of the Guide states that, 'An inconsistency of approach to repair and restoration because of different ownership, or in methods and techniques may result in a loss of significance by obscuring the evidential value of the asset as a whole.'

4.11 The Guide, paragraph 185, states that, 'The insertion of new elements such as doors and windows is quite likely to adversely affect the building's significance. New elements may be more acceptable if account is taken of the character of the building'.

4.12 POLICY HE3 of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes seeks to protect the character and appearance of Conservation Areas. Supporting text of the policy further states that the elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.

4.13 POLICY HE4 of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes states that Listed Building consent will only be granted for internal or external alterations when there is no adverse effect on the character, appearance or setting of the listed building.

4.14 Policy GP4a of the City of York Development Control Plan- Incorporating the Proposed 4th Set of Changes '. 'Sustainability' of the City of York Council Development Control Local Plan (2005) states that proposals for all development should have regard to the principles of sustainable development and sets out those issues to consider as part of a sustainably designed development.

Consideration of the Effect of the development on the Special Interest of the Listed Buildings

4.15 This listed building application is for the insertion of replacement windows within 20 listed properties forming part of a total of 120 such properties within New Earswick. An application for the replacement of the windows was refused in January 2010. This application has been amended since its submission to improve the design of the windows in order to better reflect the existing window detail. The amendments include the internal glazing of the sashes. The thickness of the double-glazing units has been reduced from 28mm to 24mm. The modern ironmongery has been changed to a more traditional rat-tail handle.

4.16 The application, like the original submission, is supported by a specialist report by Roger Wools and Associates, Heritage Consultants. This report has also been updated by the submission of an additional statement to address the new PPS5. The report supported the original window design. The updated design and access statement supporting the amended window details confirms that the principles set out in the original heritage report still apply.

4.17 The Heritage Statement concludes:-

- Having viewed the application against the new PPS5 and accompanying practice guide it is concluded that the special interest of the listed buildings would be preserved i.e. not harmed
- PPS5 states that it is the duty of the decision maker to weigh any potential loss of interest that it might judge to occur against other wider planning policies including PPS22 on climate change.
- There are no significant changes between PPG15 and PPS5 that would militate against the approval of the submitted development. The PPS does however incorporate recent Government policy on climate change and the need to address these issues. This is new in terms of heritage policy and a material consideration that adds support to the applications.

4.18 The Local Planning Authority is required by PPS5 Historic Environment Planning Practice Guide, Paragraph 14 and 17 to identify and define the 'nature of the interest and the significance of the interest'. With regard to the Listed Buildings at no.s 1-20 Ivy Place, New Earswick, the general criteria for assessment of the

current proposals (the definition of the nature of the interest and the significance of the interest) are considered to be as follows:-

i. The buildings and layout for New Earswick were designed by the architects, Barry Parker and Raymond Unwin, notable as pioneers of the Garden City movement, and of national significance. Parker and Unwin closely considered the harmonious relationship between adjacent buildings and between buildings and their settings within the village. The simplicity of the design of the village architecture followed Morris' ideals of truth of materials and honesty of construction. Unifying features in the design of the dwelling houses are the gables, hipped roofs and design of the fenestration, where windows are formed of multiples of a single standardised glass pane. Standardisation of design and materials formed a unifying element of the village architecture. The special architectural and historic interest of the Listed dwelling houses at New Earswick is defined by the design philosophy employed by Parker and Unwin in the layout, architectural design of buildings and spaces that exist at New Earswick.

ii. Parker and Unwin's standardised designs for terraces of cottages in New Earswick are of national significance as prototypes of municipal housing developed in Britain from the 1920's onwards as part of the 'Homes for Heroes' building campaign. As stated in the list descriptions for no.s 1-20 Ivy Place, 'The particular significance of New Earswick lies in its contribution to the development of low cost housing in Britain. Experience gained and practices introduced here were incorporated extensively into the Tudor Walters Report of 1918, which was instrumental in the passing of the Addison Act of 1919. Plans from New Earswick influenced the Government Manual on low cost housing which followed the Act.' As stated in section i., it is Parker and Unwin's layout, design, and materials of the cottages at New Earswick that defines the special architectural and historic interest of the buildings.

iii. The dwelling houses at no.s 1-20 Ivy Place are arranged as four terraces around a three-sided quadrangle. The unity of the scale, design and materials of this group of dwelling houses is consistent within this part of New Earswick, to the east of Haxby Road. The Listed Buildings' share the particular architectural forms or details of other buildings nearby'. The standardised design of the dwelling houses including the gables, roofs and fenestration pattern arranged within a masterplan designed by Parker and Unwin, forms part of the special architectural and historic interest of this group of Listed Buildings and is recognised in the designation of New Earswick as a Conservation Area.

4.19 The Conservation Officer acknowledges that, in principle, the installation of double glazed timber framed windows to the listed dwelling houses is likely to improve the thermal performance of the buildings, enhance the living conditions of tenants and bring associated benefits to the local community. The Conservation Officer considers that the amended window designs are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area for the following reasons:-

l) Thickness of the frame and the ratio of the glazing to the timber frame. The revised designs for replacement windows are for internally glazed sashes. The

proposed windows have a simple external finish that resembles traditional 'puttied in' glazing, without the need for external glazing beads, which reduces the appearance of the thickness of the frame.

II) Thickness of the double glazed unit and appearance of the spacer bar. The thickness of the double glazed unit has been reduced from 28mm to 24 mm (4mm-16mm-4mm). The reduced thickness of the double glazed units will reduce the level of visual intrusion of the bronze coloured spacer bars when viewed from the exterior. The black neoprene gaskets have been omitted from the revised design of the replacement windows resulting in a simplified design and a further reduction in visual intrusion.

III) Applied or 'stuck on' surface mounted glazing bars to external face of double glazed unit. The design of the applied glazing bars has been revised to a slim, traditional profile. The alterations to the profile and width of the applied glazing bars and the removal of the external glazing beads from the revised window design has resulted in the applied glazing bars appearing less visually intrusive. Design issues remain to be resolved where the applied glazing bars meet the frame but this can be dealt with through a condition.

IV) Timber beads and aluminium beads at base of double glazed unit. Applied external glazing beads do not form part of the revised proposals. The revised designs are for internally glazed sashes; therefore external glazing beads are no longer required. Design issues remain to be resolved regarding the profile of the suggested 'putty line' to the frame, which has a rounded profile in the submitted plans. A condition is proposed to deal with this matter.

V) Visible horizontal gap beneath base of sash window and frame. A relatively small visible gap remains between the base or bottom rail of the sash window and the outer frame to accommodate the egress hinge. Due to the removal of the aluminium external bead at the base of the sash, the small visible gap between the sash and the frame does not appear visually intrusive.

VI) Use of friction hinges and modern ironmongery/handles. To address concerns regarding the visual impact of standard friction hinges, which create a visual separation between the open sash and the frame, the revised designs incorporate an egress hinge which reduces the gap between the sash and the frame when the window is in normal use, whilst for cleaning purposes, the hinge is released creating a wider gap giving access to the outer face of the glass. Modern ironmongery and handles have been replaced by the installation of traditional rat-tail handles. The submission of further details of the egress hinge and rat-tail handles are to be conditioned.

4.20 The Conservation Officer's conclusion is that the revised designs will not harm the significance of the individual heritage assets or, collectively, the 'large asset' (see paragraph 4.10) or group of listed buildings of New Earswick. The application is therefore considered to accord with the principles set out in PPS5 and Local Plan Policy in HE3, HE4 and GP4a and can now be supported.

5.0 CONCLUSION

5.1 PPS5 states that the Government's objectives are to deliver sustainable development by ensuring that policies and decisions concerning the historic environment:

- recognise that heritage assets are a non-renewable resource
- take account of the wider social, cultural, economic and environmental benefits of heritage conservation; and
- recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term.

5.2 The Conservation Officer considers that the amended window designs are unlikely to harm the special architectural or historic interest of the group of listed buildings or have a negative visual impact on the setting of the listed buildings within the context of the conservation area.

5.3 The Conservation Officer's conclusion is that the revised designs will not harm the significance of the individual heritage assets or, collectively, the 'large asset' (see paragraph 4.10) or group of listed buildings of New Earswick. The application is therefore considered to accord with the principles set out in PPS5 and Local Plan Policy in HE3, HE4 and GP4a and is recommended for approval.

6.0 RECOMMENDATION: Approve

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

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

Drawing No. 07757/115
Drawing No. 07757/120-2
Drawing No. 07757/121
Drawing No. 07757/126 rev B
Drawing No. 07757/125 rev B
Drawing No. 07757/126-2
Drawing No. 07757/124
Drawing No. 07757/123-2
Drawing No. 07757/123 rev B
Drawing No. 07757/120 rev B
Drawing No. 07757/122 rev A
Drawing No. 07757/119 rev B
Drawing No. 07757/118
Drawing No. 07757/117-2 rev C
Drawing No. 07757/116 rev A

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

3 Notwithstanding the details shown on the submitted plans, details of the item listed below shall be submitted to and approved in writing by the Local Planning

Authority prior to commencement of the development and the works shall thereafter be carried out in accordance with the approved details;

- a. Large scale drawing of profile of the applied glazing bars where bars meet sash frame and detailed specifications of means of infilling the visible gap between applied glazing bars and sash frame.
- b. Large scale details of profile of frame to replicate putty line to external face of sashes.
- c. Details and specifications of egress hinge for replacement windows.
- d. Design of rat-tail handles proposed to opening sashes to replacement windows.
- e. The detail, location and proportions of the 'fixed sash mid rail' to side hung casements.

Note: A sample window should be submitted to enable assessment of the visual relationship between a side hung casement with fixed sash mid rail and adjacent top hung and side opening casements.

- f. Details of the top hung lower sashes proposed to the front elevations of bay windows to no.s 1-4 and 5-8 Hawthorn Terrace, refer drawings 07757/102-2 and 07757/105-2 Typical Window Type: W1 (Bay Window), to be consistent with methods of opening of the existing windows.
- g. Details of the top hung windows to no.s 1-4 and 5-8 Hawthorn Terrace, refer drawings 07757/102-2 and 07757/105-2 Typical Window Type: W2 to be consistent with the method of opening of the existing small-scale windows.

Reason: So that the Local Planning Authority may be satisfied that these details are in the interests of the historic character of the listed building and to accord with advice contained within Planning Policy Statement 5 and the contents of Policy HE4 of the City of York Draft Local Plan.

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 impact on the special architectural and historic interest of the listed buildings. As such, the proposal complies with national planning advice contained within Planning Policy statement 5 " Planning and the Historic Environment" and Policies HE3, HE4 and GP4a of the City of York Development Control Local Plan Incorporating the 4th Set of Changes (2005);

Contact details:

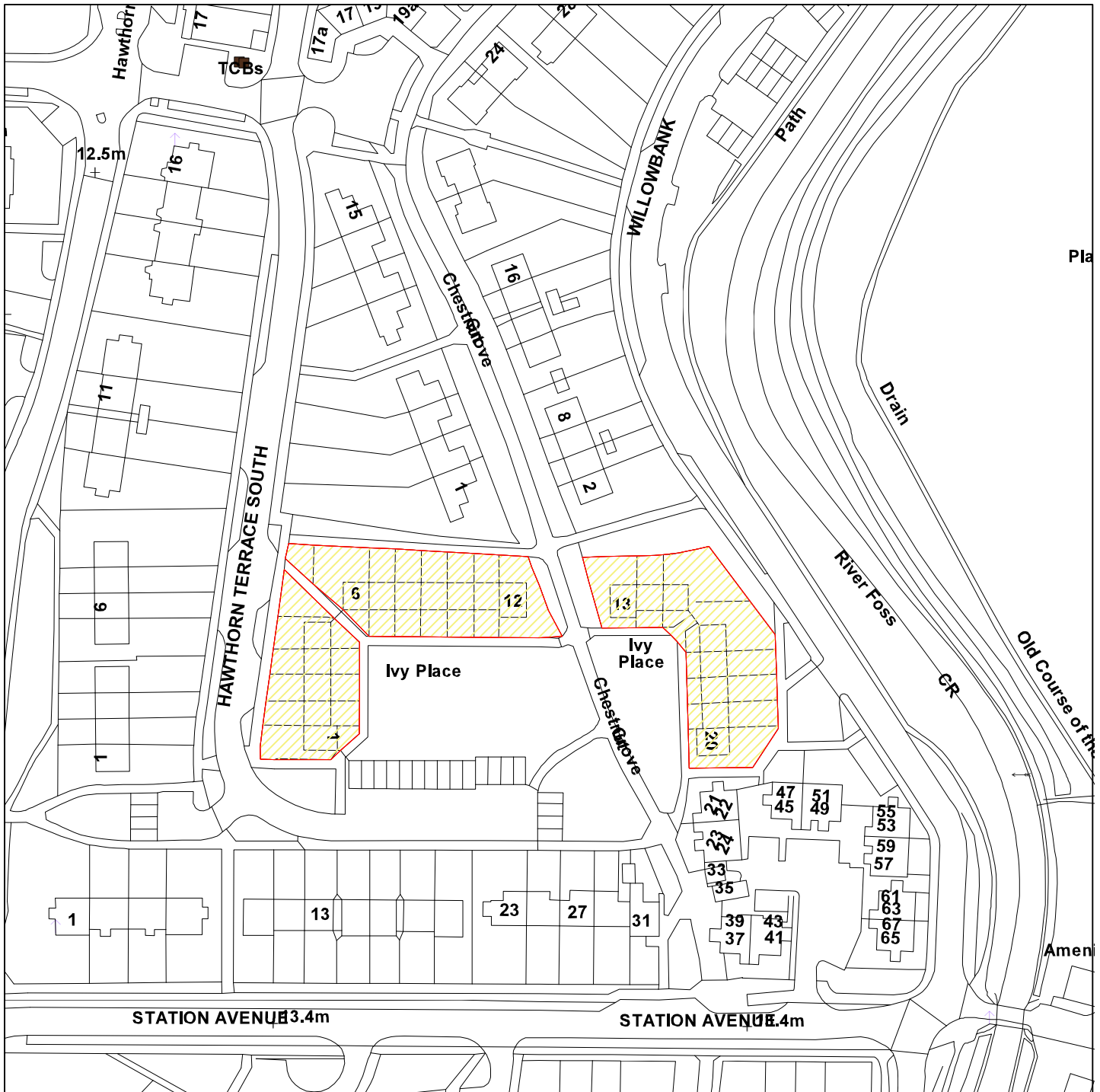
Author: Diane Cragg Development Management Officer (Mon/Tues)
Tel No: 01904 551351

Ivy Place, New Earswick

10/00427/LBC



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Organisation	City of York Council
Department	Planning and Sustainable Development
Comments	
Date	28 February 2011
SLA Number	Not Set