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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	14 JULY 2011
PRESENT	COUNCILLORS WATSON (CHAIR), GILLIES (VICE-CHAIR), CRISP, JEFFRIES, REID, SEMLYEN, CUTHBERTSON (SUBSTITUTE), RICHES (SUBSTITUTE) AND HEALEY (SUBSTITUTE)
APOLOGIES	COUNCILLORS GALVIN AND GUNNELL AND ORRELL

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## 6. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
10 Brackenhill, Upper Poppleton	Councillors Jeffries, Reid, Semlyen and Watson.	As objections had been received and the officer recommendation was for approval.
3 Little Stonegate	Councillors Jeffries, Reid, Semlyen and Watson. <i>[Amended at meeting on 20 October 2011]</i>	As objections had been received and the officer recommendation was for approval.

## 7. DECLARATIONS OF INTEREST

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

Councillor Healey declared a personal and prejudicial interest in plans item 5a (10 Brackenhill, Upper Poppleton) as he had agreed to speak on behalf of local residents of his ward in opposition to this application. He took no part in the debate or vote on this item.

Councillor Gillies declared a personal non prejudicial interest in plans item 5a (10 Brackenhill, Upper Poppleton) as he lives about 150 yards from the application site. He confirmed that he had no previous involvement in this application. When the joint owner of the property stood up to speak in support of the application, Councillor Gillies declared a personal non prejudicial interest as the speaker had done some building work for him in the past.

## **8. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That members of the press and public be excluded from the meeting during consideration of Annex A to agenda item 6 (Enforcement Cases Update) (Minute 12 refers) on the grounds that it contains information that if disclosed to the public, would reveal that the Authority proposes to give, under any enactment or notice by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment. This information is classed as exempt under Paragraphs 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

## **9. MINUTES**

RESOLVED: That the minutes of the meeting of the West and City Centre Area Planning Sub Committee held on 16 June 2011 be approved and signed by the Chair as a correct record.

## **10. 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.

## **11. PLANS LIST**

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

### **11a 10 Brackenhills Upper Poppleton York YO26 6DH (11/00422/FUL)**

Members considered a full application from Mrs Gwen Bentley for a single storey side and rear extension and the raising of the roof to provide first floor accommodation.

Officers advised Members that an objector had submitted some further information and it had been requested that this be put before the committee. Copies of the existing and proposed footprint (scale 1:100) and a drawing of the existing and proposed front elevation of the house were therefore circulated to the committee.

Officers also advised that in addition to the objections listed in the report at paragraph 3, an objection had also been received from the occupier of no 8 Brackenhills. They advised Members that the objection from 11 Sycamore View was with regard to drainage proposals.

Some photographs of the site were circulated for the benefit of those Members who were not able to attend the site visit.

Representations were received from a neighbour at 8 Brackenhills in objection to the application. With the Chair's agreement, she placed some scale models (1:40) on the table in order to help Members visualise the proposals. She stated that these proposals would create one of the largest properties in terms of scale and footprint on one of the smallest plots on the street. She drew Members' attention to the plans which she had produced and which had already been circulated. She raised concerns based on the following seven factors:

- the large footprint in relation to the size of plot;
- the height of the proposed property
- the forward position in relation to the neighbouring property
- the angle of the building
- the roof size and appearance
- the large front facing gable end
- its closeness to the boundary.

She asked that the application be refused due to its scale and dominant nature.

In response to a question, the speaker confirmed that one side of the road consisted solely single storey bungalows and on the other side there were bungalows with five 2 storey houses at one end of the road. She provided clarification of the how the proposed roof height would compare to neighbouring properties.

Representations were also received from the joint owner of 10 Brackenhills, in support of the application. He noted that the officer's report had addressed all the objections which had been put forward and reminded Members that the planning officer had recommended approval.. He advised the Committee that he was a builder with 50 years experience and made the following points in relation to the application:

- the front driveway would be block paved with parking for 3 cars and would provide wheelchair access for his disabled nephew.
- the proposed extension would allow them to create a downstairs ensuite bedroom for his nephew to use when he came to stay and therefore they was the need for an additional upstairs bedroom.
- the roofline would be visually inline with other properties.
- there were 2-storey houses opposite, the one directly opposite having had multiple extensions.

Councillor Healey spoke in objection to the application on behalf of 17 local residents who had put forward objections. He advised the Committee that most residents' concerns related to the scale and appearance of the proposed extension. He made the following points:

- it would have the largest footprints of any property in the street yet is on one of the smallest plots
- the garden amenity space would be greatly reduced leaving only a very small garden.
- It is doubtful whether there would be room to park 3 cars on the drive and if correct this would create a crowded effect.
- It would be the only property in the street with no front garden which would impact on the street scene.
- It would create the highest property on that side of the road
- the roof is not into proportion to ground floor of building creating a top heavy appearance
- the front facing gable end would create a negative visual impact on the street
- the forward position combined with angle and closeness to boundary would give it an odd skewed appearance
- It does not take into account guidelines in Local Development Framework and Poppleton Village Design Statement
- it would be over dominant and incongruous and would impact negatively on other properties

In response to the issues raised by Councillor Healey, officers advised that the garage was below normal standards but that the available parking area was adequate.

Councillor Gillies moved and Councillor Cuthbertson seconded a motion to refuse the application on the grounds that the proposed extension was too large for the size of plot and would have a negative impact on the street scene due to its height and density. On being put to the vote, this motion fell.

While other members acknowledged that the footprint would be large, they did not believe there was sufficient justification to refuse the application and pointed out that it would be the applicant, rather than other residents, who would be most affected by the loss of garden space and this was his choice to make.

Councillor Watson moved and Councillor Crisp seconded a motion to approve the application. On being put to the vote, this motion was carried.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to residential amenity or the overall character of the area. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

*Note: Councillor Riches entered the meeting when the first speaker was addressing the Committee. As he had not been present for the officer's update, he did not take part in the vote on this application.*

### **11b Borders 3 Little Stonegate York (11/00399/FUL)**

Members considered a full application from Mr Paul Herring of City of York Council for the change of use from retail (use class A1) to youth cafe and associated offices, meeting and training space. The Committee agreed to discuss the application for listed building consent (Minute 11c refers) alongside this application.

Officers expanded on the details of the proposals contained within the report. They explained that these would include a gallery area and multi use space, meeting rooms, office space, a stage area and a cafe area. Its uses could include provision for clubs covering art, dance, creative writing, sci-fi and drama and the ability to host quiz night and band performances as well as other uses.

Representations were received from the applicant on behalf of City of York Council in support of the application. He advised the Committee that he had taken on this project as Chair of York Young People's Trust and advised that they have the city council and St Michael the Belfry as partners with support from York CVS and other organisations. He explained that the aim was to provide a space for young people to be able to go to and consider it to be their own and that this should be in the city centre, somewhere safe, warm and comfortable with support available from other services. He advised that he would ensure that the specific conditions which had been put forward would be adhered to. He circulated some photographs of the area inside the building which had been digitally enhanced to show how the space would appear.

In response to a question regarding cycle parking outside the building, he advised that space was limited but explained that dedicated cycle parking was available in the town centre including opposite Betty's tea rooms and this was covered by CCTV. Officers confirmed that applications for new uses within the city centre did not require cycle racks to be provided but envisaged the use of existing racks in the city centre.

Members discussed how young people with special access requirements would be able to gain entry to the building. They noted that this would be via a separate entrance where a ramp could be temporarily placed to allow access to the building. They recognised that this was not ideal and were advised that the relevant young people would be consulted on a suitable system which could be put in place which would allow them to alert staff who would then provide assistance as required. Members stressed the importance of this being properly managed and monitored.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on heritage assets, the vitality and viability of the street and the city centre, amenity and crime and disorder. As such the proposal complies with Policies GP1, GP3, HE3, HE4, S5 and S6 of the City of York Development Control Local Plan.

**11c Borders 3 Little Stonegate York (11/00400/LBC)**

Members considered an application for Listed Building Consent from Mr Paul Herring of City of York Council for internal alterations in connection with the proposed change of use of the building and separation of the listed former chapel from units 1 and 2 Davygate.

Officers provided an update on the application. They recommended that two further conditions be added, the first requiring a photographic record of the area opened up to accommodate the lift shaft to be taken, and the second requiring the framed Ten Commandments, which are presently located within the basement of the building, to remain on site.

Members acknowledged that there were some compromises to the listed building in that the lift to all floors would break through some historic material and that there were some compromises in regard to open space. However they were supportive of the changes proposed for the internal space and considered it a good use of the building .

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

Additional Condition 4

A descriptive photographic record detailing the first floor area where it is to be opened up to accommodate the lift shall be undertaken and submitted to the Local Planning Authority at the time such works occur. The record shall illustrate the location, age and type of the fabric revealed as a consequence of the opening up works.

Reason: In order that a historical record of the listed building is kept.

Additional Condition 5

The framed Ten Commandments which are presently located within the basement of the building shall remain onsite. If they are proposed to be relocated, their relocation shall be approved in writing by the Local Planning Authority, and carried out in accordance with the approved details.

Reason: In the interests of preserving the historic interest and understanding of the building.

REASON: The proposal, subject to the conditions listed in the report and the additional conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to the special historic and architectural interest of the listed building. As such the proposal complies with Policies HE4 of the City of York Development Control Local Plan.

## **12. ENFORCEMENT CASES UPDATE**

*Prior to consideration of this item, Councillors Reid and Cuthbertson left the meeting due to prior commitments.*

Members considered a report which provided them with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

RESOLVED: That the report be noted.

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

Councillor Watson, Chair

[The meeting started at 3.00 pm and finished at 4.45 pm].