

Meeting	Area Planning Sub-Committee
Date	5 December 2013
Present	Councillors McIlveen (Chair), Gillies (Vice-Chair), Douglas, Semlyen, Fitzpatrick, Galvin, Cuthbertson, Hyman and Warters
Apologies	Councillors Watson and Looker

Site Visited	Attended by	Reason for Visit
Middleton House, 38 Monkgate, York	Councillors McIlveen and Semlyen	At the request of Councillor Watson

### 31. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests not included on the Register of Interests that they might have had in the business on the agenda. None were declared.

### 32. Minutes

Resolved: That the minutes of the Area Planning Sub-Committee held on 9 October 2013 be approved subject to Minute 23 (Declarations of Interest) being amended to show that Councillor Semlyen declared a personal and prejudicial interest in plans item 5b (Fulford Grange, Grange Garth) as the applicant was a neighbour of hers. She left the room during discussion of this item and took no part in the debate or vote on this application.

### 33. Public Participation

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

## **34. Plans List**

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

### **34a) Middleton House, 38 Monkgate, York. YO31 7PD (13/03305/FUL)**

Members considered a full application by Mr Philip Thake of York Conservation Trust for the installation of a dormer window on the south facing roof.

Officers advised that Members needed to take a balanced decision on the application, taking into account the extra head height and useable space which would be created in the kitchen by the introduction of the dormer window, but also giving regard to preserving the historic building. Officers acknowledged that while the conservation officer and case officer's view fell on the side of recommending refusal, planning officers also accepted that as the roof purlin was being retained and moved only 200mm from its original location, in this case it would be an equally reasonable decision for Members to take the view that there was sufficient justification to approve the applications.

Representations were received from Mr Guy Bowyer, the architect, in support of the scheme. He acknowledged that space in the kitchen was currently very tight. He stated that the proposed alterations would enhance the original scheme and create a more useable kitchen with better headroom and more useable width.

Representations were also received from Mr Philip Thake, the applicant, from York Conservation Trust. He stressed that York Conservation Trust would not do anything to damage the historic building but asked Members to take into account the need to consider the long term agenda for the building. He explained that York Conservation Trust relied on regular returns from short term lets. He explained that small rooms and, in particular, small narrow kitchens were not popular and that their letting agents had advised them to maximise the available space in the building. He told Members that the wider

community would benefit from the scheme as the rental income would provide funds which would be used by York Conservation Trust to continue their work to restore and conserve other buildings in the city for the benefit of York residents. The applicant confirmed that a photographic record was being kept of the scheme, as with any all schemes undertaken by York Conservation Trust.

Members acknowledged the need to consider the Local Plan Policy HE4 and National Planning Policy Framework 2012 but agreed that any building needed to be flexible enough to meet a variety of uses during its lifetime.

They accepted that the introduction of the dormer window would create more useable space in the kitchen for the benefit of the occupant. They did not believe that a significant heritage argument had been put forward to support refusing the application and agreed that while the benefit was largely private to the occupant of the flat, the proposed amendments would also benefit the wider public through the work of York Conservation Trust.

**Resolved:** That the application be approved subject to the relevant conditions to include the standard conditions stipulating that the development must commence within 3 years and must be carried out in accordance with the approved plans. It was noted that large scale drawings of the dormer window had already been received from York Conservation Trust.

**Reason:** Members felt that the proposals would result in less than substantial harm to the significance of the listed building and that that the harm was justified by the public benefits of the scheme which included securing the optimum viable use of the building. As such the proposal complied with the requirements of National Planning Policy Framework.

**34b) Middleton House, 38 Monkgate, York YO31 7PD  
(13/03306/LBC)**

Members considered an application for listed building consent for the installation of a dormer window on the south facing roof.

Resolved: That the application be approved subject to conditions stipulating that the development must commence within three years and must be carried out in accordance with the approved plans in addition to further conditions to cover the requirement for a method statement and large scale details for the fixing of the purlin as well as the submission of a photographic record.

Reason: Members felt that the proposals would result in less than substantial harm to the significance of the listed building and that that the harm was justified by the public benefits of the scheme which included securing the optimum viable use of the building. As such the proposal complied with the requirements of National Planning Policy Framework.

### **35. Other Remarks**

Councillor Warters asked to be provided with the following information:

- a record of applications for Houses in Multiple Occupation (HMO) broken down by ward
- a breakdown of Member requests to call-in planning applications for decision by committee, and the number of these applications which had been approved and refused by Committee.

He also requested that the Assistant Director, Development Services, Planning and Regeneration and the Cabinet Member for Transport, Planning and Sustainability attend a future meeting of the committee.

Councillor N McIlveen, Chair

[The meeting started at 2.00 pm and finished at 2.30 pm].