



Notice of a public meeting of

Area Planning Sub-Committee

- To:** Councillors McIlveen (Chair), Douglas, Horton, King, Looker, Fitzpatrick, Galvin (Vice-Chair), Watt, Cuthbertson, Hyman and Warters
- Date:** Thursday, 5 June 2014
- Time:** 2.00 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Minutes**

(Pages 3 - 22)

To approve and sign the minutes of the last meetings of the Area Planning Sub-Committee held on 10 April and 8 May 2014.

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 **4 June 2014** at **5.00 pm**.

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The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings

4. Plans List

To determine the following planning applications:

- a) **Proposed Monk Stray Access Gates, Stockton Lane - WITHDRAWN** (Pages 23 - 32)

Construction of an access onto a classified road and installation of vehicle and pedestrian gates [Heworth Without Ward] **[Site Visit]**

This planning application has been withdrawn and will not be considered at the meeting.

- b) Car Park, Bootham Row, York (14/00833/ADV) - WITHDRAWN** (Pages 33 - 38)

Display of 3no. wall mounted clip frame signs (retrospective)
[Guildhall Ward]

This planning application has been withdrawn and will not be considered at the meeting.

- c) Holmedene, Intake Lane, Acaster Malbis, York. YO32 2PY (14/00447/FUL)** (Pages 39 - 48)

Two storey front, first floor side, single storey front extensions and balcony to side. [Bishopthorpe Ward] **[Site Visit]**

- d) 1 Dringthorpe Road, York. YO24 1NF (14/00489/FUL)** (Pages 49 - 56)

Two storey side extension (resubmission). [Dringhouses and Woodthorpe Ward] **[Site Visit]**

- e) Fulford School, Fulfordgate, York. YO10 4FY (14/00641/FUL)** (Pages 57 - 66)

Erection of detached building to house electrical substation.
[Fulford Ward] **[Site Visit]**

- f) 60 Hunters Way, York. YO24 1JJ (14/00925/FUL)** (Pages 67 - 72)

Single storey rear extension and dormer to rear.
[Dringhouses/Woodthorpe Ward]

5. Urgent Business

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

Democracy Officers:

Names: Catherine Clarke and Louise Cook

Contact Details:

- Telephone – (01904) 551031
- E-mail- catherine.clarke@york.gov.uk and
louise.cook@york.gov.uk

For more information about any of the following please contact the Democracy Officers responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

AREA PLANNING SUB COMMITTEE**SITE VISITS****Wednesday 4 June 2014**

**The mini-bus for Members of the sub-committee will depart
Memorial Gardens at 10.00**

TIME (Approx)	SITE	ITEM
10:15	Proposed Monk Stray Access Gates, Stockton Lane	4a)
10:50	Fulford School, Fulfordgate	4e)
11:20	Holmedene, Intake Lane, Acaster Malbis	4c)
11:50	1 Dringthorpe Road	4d)

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City of York Council

Committee Minutes

Meeting	Area Planning Sub-Committee
Date	10 April 2014
Present	Councillors Gillies (Vice-Chair in the Chair), Cuthbertson, Fitzpatrick, Galvin, Hyman, Looker, Semlyen, Simpson-Laing (Substitute), Warters, Watson and Williams (Substitute)
Apologies	Councillors McIlveen and Douglas

Visited	Attended by	Reason for Visit
Middlethorpe Manor	Councillors Fitzpatrick, Galvin, Gillies and Watson.	As the recommendation was for approval and objections had been received.
Hilary House	Councillors Fitzpatrick, Gillies and Watson	As the recommendation was for approval and objections had been received.

51. 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.

No interests were declared.

52. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Item 6 (Enforcement Cases Update) on the grounds that they were classed as exempt under Paragraphs 1, 2 and 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.

53. Minutes

Resolved: That the minutes of the Area Planning Sub Committee held on Thursday 6 February 2014 and Thursday 6 March 2014 be approved as a correct record, subject to the following amendment:

Minutes of 6th March – minute item 49b) – Councillor Watson had requested that his vote against approval be recorded in relation to Monk Bar Garage, Lord Mayors Walk.

54. 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.

55. 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.

55a) Middlethorpe Manor, Middlethorpe, York, YO23 2QB (13/03864/FUL)

Consideration was given to a full application for the conversion of a stable block to 4 holiday cottages and a further two units for holiday or staff cottages.

Officers gave an update to the committee report and advised that further letters had been received in respect of the application.

The main points of the letters were as follows:

- Additional parking within the grounds of the Manor was welcome.
- Concerns about the pedestrian access on to Green Lane and the potential for this to encourage more temporary parking on Green Lane.
- There is insufficient space to allow parking on both sides of Green Lane and insufficient parking space along Lady Wortley Place. Photographs were also submitted to illustrate the point.
- The loss of the verge would detract from the character of the conservation area
- Earlier correspondence showed that the majority of residents along Green Lane shared the view that the Pedestrian access was unacceptable.

Richard Broyd had registered to speak in objection to the application on behalf of The National Trust. He advised that the trust had been responsible for rescuing the main hall in the 1980's and that it was closely related to the other outbuildings. The Trust considered the development of 6 cottages to be excessive and would prefer to see 4 residential dwellings on the site in order to enhance the local community and to keep the character of the buildings. He also raised concerns about the parking provision and the impact of holiday visitors on residents and hotel guests.

Roy Seddon had registered to speak in objection to the application on behalf of local residents. He advised that in general, the application was welcomed by residents who would like to see the buildings renovated. The main concern was the proposed pedestrian access onto Green Lane through the gate in the wall and the potential for this to encourage users of the cottages to park along Green Lane instead of using the designated parking area at the rear.

Peter Callaghan had registered to speak as the project Manager on behalf of the applicant. He advised that the proposals had been carefully developed and was a viable re-use of a listed building. The sub-division into 6 units was designed to keep the character of the building. In relation to the comments made by the other speakers about parking in the area, guests would be directed to use the dedicated parking area via the main gate and adequate parking had been provided within the scheme.

The pedestrian access through the gate would be an additional facility for those who wished to walk or cycle without using the main gates and would be useful for putting out rubbish bins.

Members questioned the applicants agent on a number of aspects as follows:

- Whether the applicant would be prepared to protect the grass verge on Green Lane. It was advised that it was the responsibility of City of York Council to maintain the verge but the applicant would comply in any way as requested.
- It was confirmed the applicant would be willing to fund any restrictions such as double yellow lines.
- In response to questions as to how visitors would be advised about the parking on the site, it was confirmed that guests would be sent a welcome pack with a key fob and code to access the gate and signage would be placed to encourage guests to use the rear courtyard for parking.
- Members queried how integral the pedestrian gate would be to the scheme as a whole. The agent confirmed that the size of the door had been reduced from a double width in the original application to single width and it was important it was retained as it would provide an alternative access for guests. It was not envisaged that it would be heavily used.

Following lengthy discussion upon the application and potential concerns relating to the management of parking at the site and the inclusion of the gate in the wall leading onto Green Lane, some Members could see no benefit of including the gate in the scheme. Councillor Watson moved refusal and Councillor Warters seconded.

Some Members considered that holiday use would have less impact on parking in the area than residential use. Councillor Semlyen then moved and Councillor Simpson-Laing seconded approval of the application as recommended by Officers.

The motion to refuse was put to the vote and lost.

The motion to approve was then put to the vote and it was:

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

Reason: The development is considered to be appropriate within the Green Belt and is supported by paragraph 90 of the National Planning Policy Framework (NPPF) and by Policy GB3 of the DCLP, which is considered to be consistent with the requirements of the NPPF.

The details of the scheme are considered to comply with the policy guidance within section 12 of the NPPF, s.16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is similarly supported by policies HE2, HE3 and HE4 of the DCLP.

The conversion work in both its design and relationship to adjacent development is considered to overcome the concerns raised by the Inspector in relation to the dismissed appeal in 2005.

The numbers of occupants within the hamlet will be increased and the development will increase the comings and goings in the area. In Officers view, however, the restriction of occupancy to holiday use, and staff accommodation will have a lesser degree of visitor and general vehicular and pedestrian movements associated with it than would be expected for six permanent residential properties and strikes the balance between providing for the retention and renovation of the listed buildings whilst protecting the amenity of existing residential properties.

In all other respects the application is considered to be acceptable subject to appropriate conditions.

**55b) Middlethorpe Manor, Middlethorpe, York, YO23 2QB
(13/03865/LBC)**

Consideration was given to an application for Listed Building Consent in respect of Middlethorpe Manor for the conversion of a stable block to 4 holiday cottages and 2 holiday or staff cottages.

Resolved: That the application for Listed Building Consent in respect of Middlethorpe Manor be approved.

Reason: The details of the scheme are considered to comply with the policy guidance within section 12 of the NPPF, s.16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is similarly supported by policies HE2, HE3 and HE4 of the DCLP subject to appropriate conditions.

**55c) Hilary House, St Saviours Place, York, YO1 7PL
(13/03816/FUL)**

Members considered a full application by St Catherines Developments Ltd for external alterations to Hilary House, St Saviours Place, including replacement windows, doors and spandrel panels.

Officers advised of an update to condition 4 to also request large scale details of - 'Typical setting out of cladding panels (to show dimensions of panels and shadow gaps)'.

In addition, Officers reported that additional survey work had been carried out which did not reveal the presence of bat roosts at the site. As a result, it was recommended that condition 5 be amended to require mitigation rather than a full survey, as follows:

Bat Mitigation

Prior to the development hereby approved a minimum of 4 bat boxes shall be installed at roof level on the building, as recommended by MAB Environment and Ecology Ltd., in correspondence dated 08.04.2014.

Reason: In order to provide replacement habitat facilities for a protected species, in accordance with section 11 of the National Planning Policy Framework.

Councillor Watson advised that residents had expressed disappointment that there had been a lack of discussion on other elements of the scheme under this application.

The applicants agent was in attendance. He asked that Members approve the application as recommended by Officers and that the changes would improve the appearance of the building which is in a conservation area.

In response to questions from Members, Officers confirmed that the windows would open and that the proposed finish of the panels was smooth as opposed to the current pebble-dash.

Members commented that the building had long been considered unattractive and anything that improved its appearance was welcomed.

Resolved: That the application be approved subject to the conditions outlined in the committee report and amended condition 4.

Reason: In determining planning applications within conservation areas, the Council has a statutory duty to consider the desirability of preserving or enhancing the character and appearance of the area. Thus in order for the scheme to be unacceptable it would need to be determined that the proposals are harmful to the character and appearance of the conservation area. The scheme as revised is for replacement windows and cladding panels only. The products proposed are of an acceptable quality. Overall the proposals would at least maintain the character and appearance of the conservation area.

56. Enforcement Cases Update

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

Members queried if there was another way of keeping Members informed on Enforcement Cases as due to the number of cases, it was difficult for Members to thoroughly read the papers.

It was suggested that it be delegated to the Chairs and Vice Chairs of the Planning Committees to agree a way forward.

Resolved: That the report be noted.

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

Councillor Gillies, (Vice Chair in the Chair),
[The meeting started at 2.00 pm and finished at 4.00 pm].

City of York Council

Committee Minutes

Meeting Area Planning Sub-Committee

Date 8 May 2014

Present Councillors McIlveen (Chair), Gillies (Vice-Chair), Douglas, Semlyen, Fitzpatrick, Galvin, Cuthbertson, Hyman, Warters, Burton (Substitute for Councillor Looker) and Horton (Substitute for Councillor Watson)

Apologies Councillors Looker and Watson

Site	Visited by	Reason for Visit
Laurel House, The Village, Stockton on the Forest, York. YO32 9UW	Councillors Cuthbertson, Fitzpatrick, Galvin, Gillies, McIlveen, Semlyen and Warters.	As the application had been called in by the Ward Member because of concerns over loss of amenity.
Land at rear 42 Oxford Street, York. YO24 4AW	Councillors Cuthbertson, Fitzpatrick, Galvin, Gillies, McIlveen and Semlyen.	As the application had been called in by a Member on the grounds of over development.

57. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests they might have had in the business on the agenda. None were declared.

58. Public Participation

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

59. 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.

59a) Royal Masonic Benevolent Institute, Connaught Court, St Oswalds Road, York YO10 4QA (13/03481/FULM)

Members considered a full major application by RMBI and Shepherd Homes Ltd for the erection of 14 no. dwellings following the demolition of an existing bowling clubhouse and garage block.

In their update to Members Officers stated that;

- Condition 16 (in the report) which required the applicant to provide a minimum of 10% of energy demand from renewable sources could be deleted because it was covered by recent changes to the Building Regulations.
- They had received further comments from Fulford Parish Council and Fulford Friends in objection. In relation to one comment about the absence of 'streetscape' views of the Ings, Officers were satisfied that sufficient information had been supplied by the applicant to enable the impact of the development to be properly considered.
- The Parish Council had asked that three conditions be added or amended to planning permission. In response Officers felt that the suggested conditions were unnecessary and therefore contrary to national planning policy guidance.
- The proposed Section 106 unilateral undertaking for financial contributions was nearing completion.

Representations in objection were received from the Chair of Fulford Friends. She asked that Members deferred the application for the following reasons;

- That the scheme was at odds with the Fulford Conservation Area. In the Friends' view this meant that the presumption in favour of development was incorrect and should not be taken into consideration by Members.
- That the site should not be identified as brownfield land as it was currently open space land and the gardens should not be classified as such.
- A sequential test was required because parts of the site were in floodzones 2 and 3.

Following a Member's question, the Chair told the Committee that the Friends had contacted the developers to offer their help with the application but that this had been turned down.

Further representations in objection were received from a local resident. He told Members that;

- That he was disappointed with the design that had been submitted by the applicants, as it was virtually the same as the previous application and it was not in keeping with the adjacent Sir John Hunt homes.
- That the design of the buildings in Area B had been designed differently to Area A, which had been based on the Fulford Road Conservation Area not the Fulford Village Conservation Area.
- That residents from the Fulford Friends group had met with the applicants to suggest that the height of the houses be lowered.

Representations in support were received from the applicant's agent. He spoke about how;

- The building line in Area A of the development had been pulled further away from St Oswalds Road to reduce the impact that the development would have on the existing trees on the site.
- Comments from Yorkshire Water had been received and they had no objections to the development.
- Following Members' previous concerns about the design of the proposed houses the applicants' architects did look at other alternatives.

Members asked why the applicants had not asked for residents views. In response the agent replied that they felt that they had fulfilled what Members had requested. He added that Officers were happy with the arrangements regarding the frontage on to St Oswalds Road.

Representations were received from a representative of Fulford Parish Council. She told Members that;

- She felt that there had been material changes to the site since the application had been submitted. The site was now located in the Fulford Village Conservation Area, and the character of the village had not been sufficiently considered.
- No streetscape view had been provided so assessment of the view of the development from Fulford Ings could not be made.
- She questioned why 14 large houses had been proposed, and why were these not split down into smaller ones providing affordable housing.
- The only reason why the site had been added to the Fulford Village Conservation Area was because of Connaught Court's historic parkland rather than the buildings on it.

Representations were received from the Ward Member Councillor Aspden. He asked Members to refuse the application because;

- He was not convinced that the applicants had worked with the Parish Council or Fulford Friends, and their lack of willingness to consult was not favourable.
- That aspects of the application were in conflict with policy and design.

In response to questions from Members, Officers informed the Committee that they felt that the reasons given for deferral of the previous application had now been addressed by the resubmitted application. They reported that the Conservation Area was centred on Fulford Village and included all of the Care Home and grounds. The development was located on the extreme edge of the conservation area.

Some Members recalled a previous proposal for development on the site some years ago, which was mainly located around the part now occupied by the Residential Home. They felt that the applicants had covered concerns that Members had previously raised in past applications on the site.

Other Members felt that the proposed buildings did not compare with the local area and that the size of the proposed development was to only maximise profit for the developers.

Resolved: That the application be approved subject to a Section 106 agreement and the deletion of condition 16.

Reason: The application would provide much needed dwellings in a highly sustainable and accessible location. The proposals respect the character of the two affected conservation areas, in particular the parkland setting of the site and its mature protected trees.

**59b) Blue Bridge Hotel, 39 Fishergate, York. YO10 4AP
(14/00169/FULM)**

Members considered a full major application by Charles Assam Developments Ltd for a conversion of a hotel to 11no. flats and 1no. dwelling with part single/part two storey extension to rear.

Questions from Members to Officers related to the number of parking spaces, who the flats were being advertised to and the use of UPVC windows in a Conservation Area.

Officers informed Members that five parking spaces would be provided, which was fewer than first proposed. They did not know who the flats would be marketed to, but the flats would be on the open market and there was no requirement for affordable housing on this site. In relation to the windows, Officers ideally wanted them to all be timber but felt that the Conservation Area would not be harmed if some UPVC windows were used. It was reported that Officers had negotiated with the applicants who had changed the application from having all windows made of UPVC and that on balance the character and appearance of the conservation area would be improved.

Resolved: That the application be approved subject to a Section 106 agreement.

Reason: As the application would provide needed housing in a sustainable location, would not harm the appearance of the Conservation Area and because previous highways issues had been addressed.

**59c) Land at rear of 42 Oxford Street, York. YO24 4AW
(14/00416/FUL)**

Members considered a full application by Mr Mike Nicholas for a first floor extension to a detached garage.

Officers circulated a sunlight assessment for the application to the Committee. This was subsequently scanned and put online with the agenda after the meeting.

Representations in objection were received from a next door neighbour. He told the Committee that he did not want the eaves of the roof of the extension to rise above the height of his property's walls. He added that he had asked the applicant to reduce the scale of the proposed extension in order to allow sunshine into their garden and adjacent sitting room. He asked Members that if they were minded to approve the application that the use of the garage be restricted for Mr Nicholas' private and domestic use.

Representations in support were received from the applicant. He informed Members that he had met with the objectors and as a result had considered a further 250mm reduction in height of the boundary wall between their two properties. He had reduced the height of the internal eaves to 750mm and told Members that if reduced any further that the roof would not be suitable to be used for storage. He felt that the current proposals for the application were a good compromise between what he had originally requested and the concerns voiced by the next door neighbours.

In response to a Member's question, the applicant stated that the extension would be used for personal use and there would be no daily transport movements to the property. If the applicant were to demolish the property he confirmed that he would keep the existing walls on site. He added that if approved he was happy to accept the neighbours' condition about restricting the use of the garage.

Some Members felt that although the extension would restrict some sunlight on to the neighbour's garden that they felt that the proposed application would not be so harmful that it should be refused.

Resolved: That the application be approved.

Reason: As the proposed structure would not harm the character and appearance of the conservation area, being of appropriate scale, shape and materials for its setting. The revised plans show that the extension would be no more than 500mm higher than the boundary wall. Considering the extent which the neighbour's garden is already enclosed the additional structure would not be unduly overbearing and would not have an undue impact on outlook. There would not be a material change in levels of light or direct sunlight in the back garden and overall there would be no undue impact on residential amenity.

**59d) Laurel House, The Village, Stockton on the Forest, York.
YO32 9UW (14/00434/FUL)**

Members considered a full application by Mr and Mrs B Robson for the erection of a detached dwelling.

Officers gave an update to Members which included the following;

- Revised plans had been received which deleted the dormer window above the garage and which amended the boundary treatment from walling to hedging. If the approved, a plans condition be amended to included reference to these revised plans.
- Comments from the Drainage Engineer had been received which requested that a soakaways assessment be carried out to prove that the ground had sufficient capacity to accept surface water discharge, and to prevent flooding of the surrounding land and the site itself.
- A detailed letter of objection had been received from the owners of Stockton Grange which stated that;

Heritage Asset-

There are a small number of dwellings in York designed by the renowned architect Walter H Brierley; the significance of this heritage asset should not be underestimated.

Planning History- The Council has been positively, and until now, consistently resistant to more than one dwelling on this plot.

Current Application- The Council's fundamental reasons for refusing the previous application have not been overcome, in fact the proposed development will cause even more harm to the significance of the heritage asset due to the following reasons;

- Siting- the consent for the Methodist Chapel has necessitated siting the proposed development away from the boundary with the Methodist Chapel, closer to Stockton Grange and its outbuildings.
- Design- it cannot be said that it would preserve elements of the setting that make a positive contribution to, or better reveal Stockton Grange.
- Scale- the benefit of reduced height is negated by its new position closer to Stockton Grange.
- Mass- by comparison the proposed development is considerably larger than the previous one, the footprint reveals an increase of 25% causing a greater cumulative change to the setting of Stockton Grange.
- Loss of open character- greater with this proposal which is larger and closer to the heritage asset.
- Case Law- attention is drawn to several landmark decisions including Barnwell Manor (2014) and Pond Farm (2014), in which the Court of Appeal upheld High Court Decisions to refuse permission, on the grounds that the decision maker failed in his statutory duty to give sufficient consideration, importance and weight to the desirability of preserving the setting of listed buildings.

Additional/Revised Conditions

To amend Condition 4(ii) to delete the following wording;
“Barge” boards should finish straight i.e. omit the boxing. The tile/brick corbelling or kneeler detail should be revealed in the gable ends.

A drainage condition is recommended to require full details of surface water drainage works. If soakaways prove to be unsuitable, the condition would require that in accordance with City of York Council's Strategic Flood Risk Assessment, peak run-off must be attenuated to that of the existing rate (based on a Greenfield run off rate of 1.40l/sec/ha).

In response to a Member's question, Officers reported that there had not been any comments in the Officer's report for the application for the current Laurel House relating to the acceptability or otherwise of a further house in the garden only that if such an application were to be submitted it would be assessed against the setting of the listed building and the character and appearance of the conservation area. In relation to the history of applications on the site, it was reported that the most recent application for a house in the garden of Laurel House had been refused. This was because the design was seen as inappropriate within the setting of the listed building; the application under consideration was lower in height than both Stockton Grange and Laurel House and corresponded with the linear pattern of the site.

Representations in objection were received from a neighbour. She told Members that she lived in Stockton Grange. She felt that the proposed dwelling was closer to and bigger in scale than Stockton Grange. As Stockton Grange was a Heritage Asset, the development had not taken into consideration the public benefit that this gave members of the public. She also felt that considerable weight had not been attached to legal precedent by the applicants.

In response to questions from Members, the neighbour elaborated that the development would not only harm views from Stockton Grange but also towards it.

Some Members asked Officers how much weight they would attach to Case Law in determining the application.

Officers responded that they felt the significance of the cases was not about the type of development that they related to but about what they said about the assessment of the application in respect of heritage assets.

The decisions were quashed because the decision maker had not shown that they had applied the requirements of the Planning Acts when determining the applications. They added that the setting of the Heritage Asset, the surroundings in which it is experienced, was not classified as an Asset in itself but consideration must be given to the harm that development within the setting could cause on the Heritage Asset (i.e. Stockton Grange).

Representations in support of the application were received from the applicant's agent. He informed Members how several changes had been made to the application following its refusal in 2012. This included the scale and the siting. The scale of the dwelling was now subservient to Stockton Grange and he felt that the dwelling's setting would not impact on the prominence of Stockton Grange.

In response to Members' questions Officers replied that drawings did not indicate that ground levels would be increased but a condition could be added to planning permission to prevent this if Members were minded to approve the application. Officers suggested that a condition to protect trees on the North East boundary be added to permission.

Discussion between Members took place. Some Members felt that the extent to which the development would affect the setting of Stockton Grange was subjective. Others pointed out that the main view of Stockton Grange was from the public footpath not from the north. Others felt that as the public footpath was not on a direct route that the view of the church would be obscured by the dwelling. Some felt that the application should be refused as it was unacceptable to subdivide the land. Councillor Warters moved refusal on the grounds of harm to the setting of the Grade 2 listed building. Councillor Cuthbertson seconded this motion. Others felt that the reason given for refusal was not strong enough.

On being put to the vote this motion fell.

Resolved: That the application be approved subject to a Section 106 Agreement and the following amended conditions;

Reason: As the proposed dwelling is located in a sustainable location and would contribute to meeting the housing needs of the City. The location of the proposed dwelling and its massing would have a neutral effect on the character and appearance of the Conservation Area and the revised scale, massing and design of the dwelling is considered to overcome the previous reason for refusal in terms of the impact on the setting of the listed Stockton Grange. It is not considered that the proposed dwelling would give rise to a significant loss of amenity to residents of neighbouring properties in terms of overlooking, a sense of overbearing or loss of light.

59e) 3 Heslington Lane, York. YO10 4HN (14/00729/FUL)

Members considered a full application by Mrs Carolyn Howarth for a single storey rear extension.

In their update to Members, Officers pointed out that the reference to Heslington Parish Council should have been changed to Fulford Parish Council.

Resolved: That the application be approved.

Reason: As the proposal would comply with national planning policy in relation to design and heritage assets contained within the National Planning Policy Framework and policies HE3 and H7 of the Development Control Local Plan (April 2005). There would be no harmful impact on the character and appearance of the conservation area or the amenities of neighbouring properties.

60. Appeals Performance and Decision Summaries

Members considered a report which informed them of the Council's performance in relation to appeals determined by the Planning Inspectorate from 1 January to 31 March 2014.

In response to a Member's question Officers answered that whilst a recent appeal for a House in Multiple Occupation (HMO) had been allowed in a mixed use area when the threshold of percentages of HMO's in that area had been exceeded, this was because the Inspector considered that there would be no harm on residential amenity. It did not automatically follow that an application within a wholly residential area could be refused on amenity grounds where the thresholds had not been exceeded. Each case had to be determined on its individual merits.

Resolved: That the report be noted.

Reason: To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate.

Councillor N McIlveen, Chair

[The meeting started at 2.00 pm and finished at 4.30 pm].

1.6 The application is brought to Committee as the application is by the City Council and a number of neighbour objections have been received.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGB1 Development within the Green Belt
CYGP1 Design
CYNE1 Trees, woodlands, hedgerows

3.0 CONSULTATIONS

INTERNAL

Highway network management

3.1 No objections.

Design Conservation and Sustainable Development

3.2 No objections to the loss of the short section of hedgerow subject to the proposed gate being moved further from the adjacent tree (this has been altered by the applicant).

3.3 An informative should be included relating to the Wildlife and Countryside Act 1981 clarifying it is an offence to intentionally damage or destroy any birds nest

EXTERNAL

Neighbours and Publicity

3.4 At the time of writing the report 17 objections had been received from neighbours. The main points raised are summarised below any further comments received will be reported verbally at the meeting:

- The new gate should be located on Malton Road where there is better access and less conflict with residents and road users.

- The proposal will create gridlock on Stockton Lane and hazards for pedestrians and delays for emergency vehicles. The proposed location for the gate is the narrowest section of Stockton Lane with a tight bend and parked cars already creating difficulties. The parked cars and narrowness of the road will make it difficult for large vehicles to exit the site.
- There is already an access to the site for vehicles from Westlands Grove/Straylands Grove as well as Monks Avenue. The Council has the right to use the Monks Avenue access.
- The application should include the likely level of usage of the access including vehicle movements at peak times.
- Will the proposal impact on street parking?
- If located on Stockton Lane the gate would be better located opposite Forest Way.
- The gate is related to the Tour de France. The access should have been shown when the licence was applied for.
- Concerns re loss of habitat and impact on nesting birds.
- Concerned about the impact of increased traffic on the condition of The Stray. It is often waterlogged even in summer.
- Will the hedge be re-instated in the future?
- The Gate will harm the character of the Stray.
- There should be an Environmental Impact Assessment.
- Has the Council sought the Pasture Masters permission for the proposals?

4.0 APPRAISAL

4.1 The key issues to consider in assessing the proposal are:

- Greenbelt issues
- The impact on visual amenity.
- The impact on wildlife.
- Highway safety.
- Impact on neighbours.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible.

4.4 Monks Stray is in the Greenbelt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

4.5 Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. In respect to transport it emphasises the need to ensure that changes that impact on transport are safe and sustainable.

4.6 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.7 The site is allocated as Green Belt. Policy GB1 (Development in the Green Belt) states that development should not conflict with the character or purpose of the Green Belt and should be for a limited range of uses. This includes essential facilities for outdoor recreation and highway works.

4.8 Local Plan Policy GP1 'Design' states that 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.

4.9 Policy NE1 relates to trees, woodland and hedgerows. The policy seeks to protect hedgerows which are of landscape, amenity, nature conservation or historical value.

Greenbelt issues

4.10 The proposed timber gates and associated surfacing is modest in scale and will not have a material impact on the openness of the Green Belt. It is noted that the works relate to highway improvements for outdoor recreation which is an acceptable use in the Green Belt.

The impact on visual amenity.

4.11 The application is assessed on the basis that the fence and gate are approximately 1.2m high as indicated on the photograph submitted with the application and the general description. The timber gates and the small section of fencing is rural in character and would not appear out of place adjacent to open land. The exact details of the installation could be covered by condition.

4.12 Policy NE1 seeks to protect hedgerows. The gate would be inserted in a small section of a large expanse of hedgerow that encloses much of the site. The overall appearance of the land will remain. The section of hedge to be removed consists of hawthorn, sycamore and elder. It would not need to be considered under the Hedgerow Regulations as the land is not of agricultural or Common land designation. Irrespective of this the section of hedge to be removed would not meet the criteria for retention in respect to this legislation.

The impact on wildlife.

4.13 It is considered that the removal of a small section of hedgerow and associated surfacing would have minimal impact on wildlife. It is understood that at the time the application was submitted no bird's nests were visible in the section of hedgerow to be removed. An informative has been included clarifying the requirements of Section 1 and 99 of the Wildlife and Countryside Act 1981 which states that hedge cutting should not take place if there is a risk of the work, or its effects, being harmful to resident birds.

Highway safety.

4.14 The proposal has been considered by the Council's Highways Network Management officers. The sight lines from the proposed access accord with relevant highway requirements. It is understood that the access is proposed for maintenance vehicles and would also be a potential access for temporary events.

From a planning perspective, part 4 of the General Permitted Development Order allows land not within a curtilage of a building to be used for a range of temporary uses with associated structures for up to 28 days a year. Other non-planning related consents may be required as appropriate.

Impact on neighbours.

4.15 It is not considered that the proposed access itself would have a significant impact on neighbours. In respect to its use it is noted that it will largely be an access for maintenance of the land.

4.16 Under the General Permitted Development Order the stray can be used for temporary events for up to 28 days a year without the need to apply for planning permission. The access will create the opportunity for vehicles to enter the Stray directly from Stockton Lane. It is noted that the Council's Highway Network Management officers state that the access to the site meets adequate standards in respect to the road conditions. Separate legislation exists for the control of temporary events (eg the Licensing Act).

5.0 CONCLUSION

5.1 It is considered that the creation of the access, the loss of a small section of hedgerow and the insertion of timber gates will have relatively little impact on the appearance of the Stray and will not harm the openness of the Green Belt.

5.2 A number of objections from neighbours relate to concerns regarding the use of the Stray for special events including the forthcoming 'Grand Depart'. Concerns mainly relate to possible damage to the Stray as well as congestion and highway safety issues relating to the proposed access on to Stockton Lane.

5.3 The use of the Stray for most temporary events does not require planning permission for a period not exceeding a total of 28 days in a calendar year. When assessing the merits of a proposed access to open land it is not appropriate to have regard to possible uses of the land uncontrolled by planning legislation. This is especially the case where separate legislation may exist to control such uses. It is the case, however, that the Council's Highway Network Management Team did consider the acceptability of the access given the high profile nature of the Tour de France.

They consider that as the access meets appropriate highway standards there are no reasonable traffic grounds to refuse the application.

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:-

Photograph of vehicle gate received by the Local Planning Authority on 30 April 2014 and revised plan (Rev A) received by the Local Planning Authority on 20 May 2014.

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 submitted details prior to the commencement of development full elevations showing the exact height and design of the proposed gates and fence shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of building works. The works shall be completed in accordance with the approved details.

Reason: To ensure that the design is sensitive to the stray.

7.0 INFORMATIVES:

Notes to Applicant

1. Statement of the Council's Positive and Proactive Approach

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome:

Revised drawings submitted to address possible conflict with the adjacent tree.

2. Section 1 and 99 of the Wildlife and Countryside Act 1981

Please note that under Section 1 and 99 of the Wildlife and Countryside Act 1981 it is an offence to intentionally damage or destroy any birds nest whilst it is in use being built or to deliberately damage or destroy a bat roost. Hedge cutting should not take place if there is a risk of the work, or its effects, being harmful to resident birds. Therefore it is recommended that major pruning of hedges is carried out from the end of August to February, and that light hedge trimming is avoided between March and August (nesting season). However, if a hedge has to be cut between March and August it should be inspected carefully for active nests and, if found, work should be delayed until the young birds have flown. If, despite best efforts and a nest is found after work has started, a buffer area must be left inviolate around the nest.

Contact details:

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

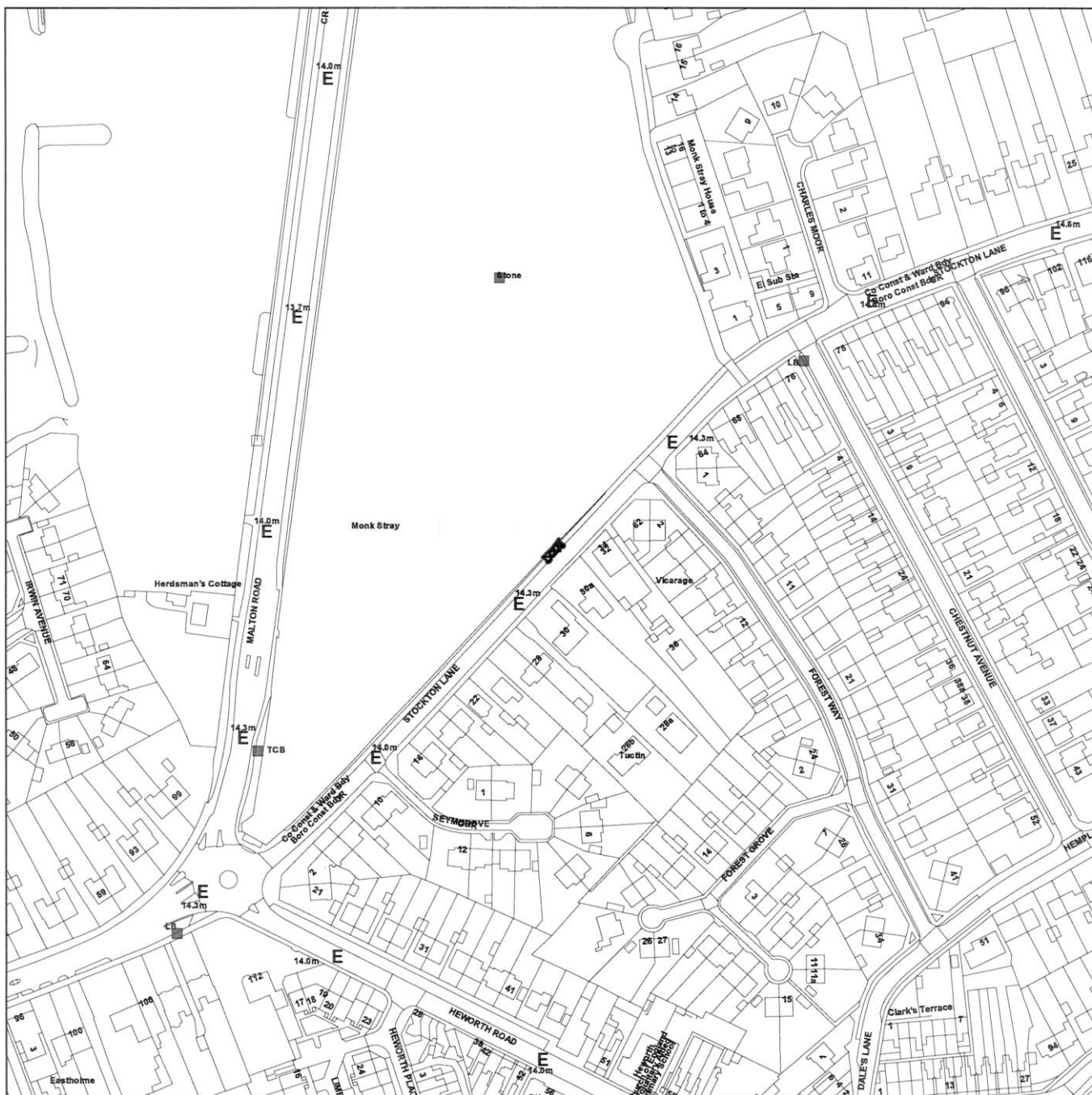
Tel No: 01904 551352

14/01018/GRG3

Monk Stray Access Gates



GIS by ESRI (UK)



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	27 May 2014
SLA Number	Not Set

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This application has been WITHDRAWN from this Thursday's meeting

DELEGATED REPORT

Date: 15.5.2014
Team: Major and Commercial Team
Ward: Guildhall
Parish: Guildhall Planning Panel

Reference: 14/00833/ADV
Application at: Car Park Bootham Row York - WITHDRAWN
For: Display of 3no. wall mounted clip frame signs (retrospective)
By: Mr Allan Barton
Application Type: Advert Application
Target Date: 9 June 2014
Recommendation: Approve

1.0 PROPOSAL

1.1 The application site is the Bootham Row car park, situated to the rear of Gillygate and in the Central Historic Core Conservation Area.

1.2 The application is retrospective for three signs (1.5m by 1m) which have been attached to the rear wall of Miller's Yard. The signs are spaced around 10m apart.

1.3 The application is reported to sub-committee because it is an application made by the city council and objections have been received.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

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

2.2 Policies:

CYGP21 Advertisements
CYHE8 Advertisements in historic locations

3.0 CONSULTATIONS

Guildhall Planning Panel

3.1 Objected to the principle of filling spaces with advertising.

Publicity

3.2 Deadline for comment was 5.5.2014. No representations have been made.

4.0 APPRAISAL

Key issues

4.1 The National Planning Policy Framework advises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Relevant policies of the Local Plan

4.2 Policy GP21 of the City of York Local Plan states that where advertisement consent is required, it will be granted for signs where: their size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the areas in which they are displayed, particularly with regard to the character of conservation areas; where there is no adverse effect on public safety; and in residential areas and on sites clearly visible from roads, the advertisement is in keeping with the scale of surrounding buildings and public areas.

4.3 Policies HE8 adds that within conservation areas advertisements will consist of a design and scale that respects the character and appearance of the area; and good quality materials that are sympathetic to the surface to which they are attached. Within conservation areas externally illuminated adverts that require large light fittings will not be permitted.

Impact on Heritage Assets / Amenity

4.4 The three signs which have been introduced are at eye level and approx 1.5m tall by 1m wide. The signs are reasonably spaced, being around 10m apart. Signs are not illuminated. There are other various pieces of street furniture in the car park, including other signage and numerous payment machines. When the car park is in operation the signs are in part obscured by vehicles. The signs do not appear out of character and as they are reasonably spaced out, and considering the extant character, they do not create a cluttered appearance.

4.5 The nearest dwellings with windows facing the signs are on the opposite side of the car park, along Bootham Row. Given the scale of the signs, as they are not illuminated, and the separation distance, there would be no material effect on residential amenity.

Safety

4.6 Signs are fixed to a wall and not illuminated. They do not cause any safety issues.

5.0 CONCLUSION

5.1 The signs do not appear out of character in the car park; there would be no harm to amenity or undue harm to the conservation area. Signs do not raise any amenity concerns. It is recommended consent be granted.

6.0 RECOMMENDATION: Approve

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

Signs located on rear wall, as indicated on supplied photos and location plan.
Sign frames as shown on cp media specification sheet

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

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

Contact details:

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

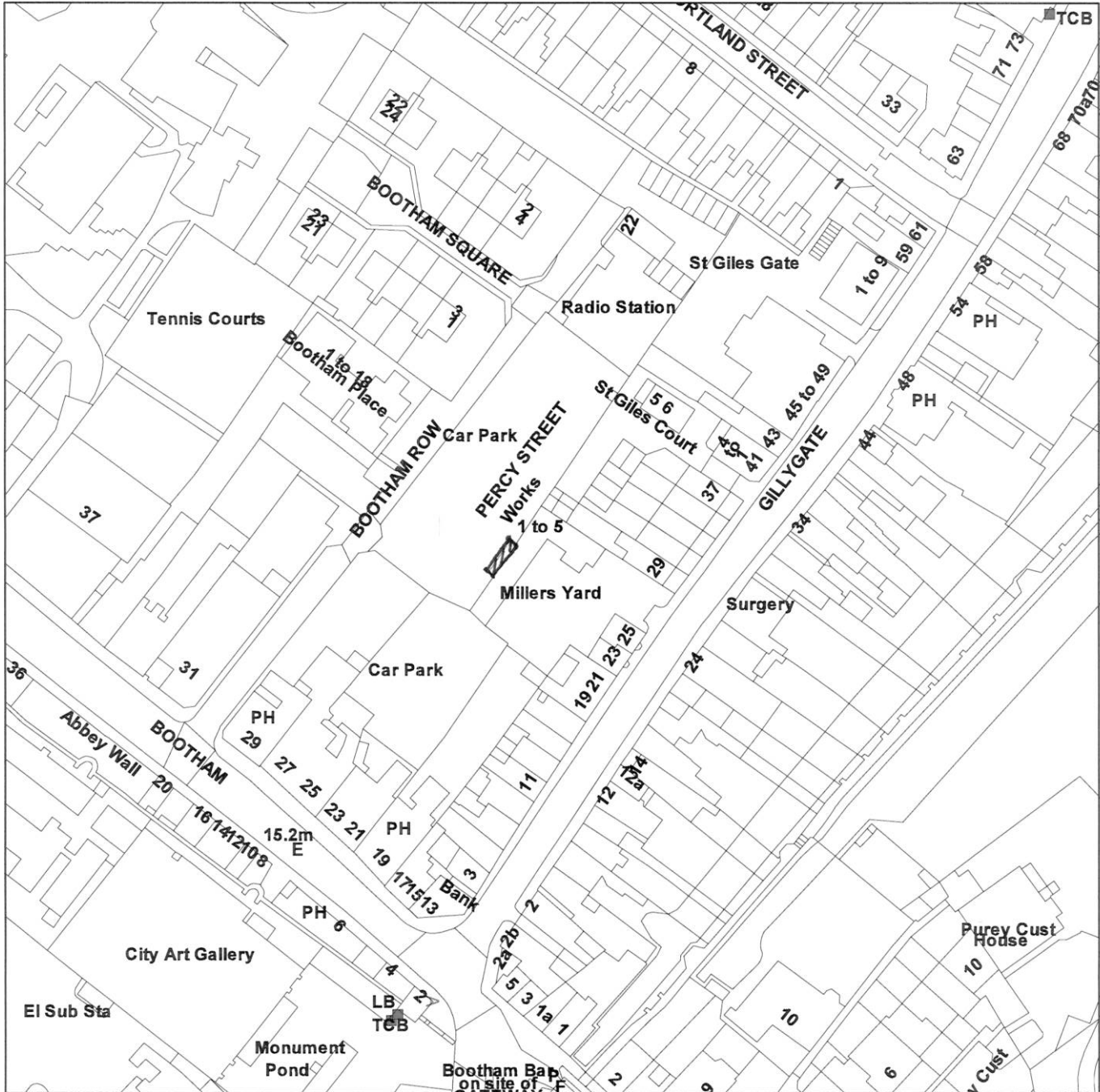
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14/00833/ADV

Car Park, Bootham Row



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3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 The proposed development involves removal of one whole section of roof plus dormers to allow the roof to be raised and the removal of the chimney and some roof works to allow the extension to tie in. The surrounding area is good bat habitat. A bat/breeding bird survey is required to assess any impacts that may be caused by the development.

EXTERNAL

Acaster Malbis Parish Council

3.2 No objections

Neighbour Notification/Publicity

Two letters of objection from 2 Brocket Court and Beechlands raising the following issues:

- Loss of privacy from the proposed rear windows
- Loss of privacy from the balcony
- Design of the balcony does not fit with the dwelling
- Overbearing
- Would result in a loss of light to rear rooms and garden
- Design out of keeping with host dwelling and area
- Loss of view from upstairs windows

4.0 APPRAISAL

4.1 Key Issues

- Design
- Green belt policy
- Very special circumstances
- Impact upon neighbour's amenity
- Bats

4.2 The National Planning Policy Framework (NPPF) (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, a principle set out in paragraph 17.

4.3 Paragraph 187 states that when Local Planning Authorities are considering proposals for new or improved residential accommodation, the benefits from meeting peoples housing needs and promoting the economy will be balanced against any negative impacts on the environment and neighbours' living conditions.

4.4 Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the green belt around York with an outer boundary about 6 miles from the city centre and although the spatial strategies have now been withdrawn these policies relating to York's green belt have been saved

4.5 The 2005 Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.6 The relevant City of York Council Local Plan Policies are H7, GP1 and GB4. 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.

4.7 Policy GP1 'Design' of the City of York Local Plan Deposit Draft refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

4.8 The NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings within the Green belt is inappropriate and should be resisted. However, exceptions to this general presumption includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (Para 89). Policy GB4 'Extensions to Existing Dwellings' states that the extension and alteration of dwellings in the Green Belt and open countryside will be permitted providing the proposal: would not cause undue visual intrusion; is appropriate in terms of design and materials and is small scale compared to the original dwelling. As a guide a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be large scale and resisted accordingly.

4.9 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations. The SPD was subject to consultation from January 2012 to March 2012 and was approved at Cabinet on 4 December 2012. The SPD offers

overarching general advice relating to such issues as privacy and overshadowing as well as advice which is specific to particular types of extensions or alterations. The underlying objectives of the document are consistent with local and national planning policies and is a material consideration when making planning decisions.

SCHEME

4.10 The application site is a detached dwelling located to the edge of a group of buildings which are set within the open countryside outside Acaster Malbis. The site comprises of the original farmhouse, which was extended in 1997 to create additional living accommodation above the existing garage, and a double detached garage. The current application seeks permission to increase the height of the first floor extension in order for it to run flush with the main farmhouse, erect a two storey front extension to house the staircase and a large balcony to the side. The extensions are required in order to accommodate an enlarged family.

4.11 In order for the ridge to run flush it would have to be increased in height by approximately 1.6m for a length of 7.6m. At present two small dormer windows sit within the front and rear roof slopes. These would be removed and windows to match the existing dwelling would be installed. To the front elevation a two storey extension is proposed. This would project from the front by approximately 3m, would have an eaves height of 6.1m and an overall height of 7.7m. It would incorporate a large glazed section almost one and a half storeys high allowing light to enter the proposed staircase. A single storey porch would be attached to the front of this element projecting a further 1.4m forward.

4.12 The final element of the scheme seeks permission for the erection of a raised balcony to the side which would project out approximately 4m and have a width of 7m. It would be accessed by two double doors located at first floor level.

DESIGN

4.13 The proposed extensions are considered to be large scale in relation to the size of the original dwelling and disproportionate additions. The property has been previously extended to provide additional first floor living accommodation with the design resulting in a subservient extension which sits comfortably with the host dwelling. The current scheme proposes to run flush at the ridge, providing no visual break or relief and resulting in an extension which does not appear small scale and elongates the dwelling to an unacceptable degree.

4.14 The proposed front extension does not relate well to the host dwelling with the eaves being set approximately 1.2m higher than those of the host dwelling. This results in an awkward relationship which is compounded by the vertical attenuation of the proposed glazing which is at odds with the design of the original dwelling. The

extension dominates the front elevation and the design takes little reference from the host dwelling in terms of proportions and detailing.

4.15 The balcony adds to the width of the overall dwelling and, whilst relatively light weight in nature, adds to the visual clutter which arises as a result of the combined proposed extensions.

GREEN BELT POLICY

4.16 Paragraph 89 of the NPPF states that the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, is not considered to be inappropriate development. Policy GB4 states that as a guide a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be large scale and resisted accordingly. The percentage increase when taking into account the proposed works and the previous single storey front extension equate at 53%. This is well above the suggested acceptable increase and as such conflicts with green belt policy and is considered to be inappropriate development.

4.17 Notwithstanding the increase in footprint the design and scale of the extension represents a disproportionate addition to the original building and would be resisted were the site located within the green belt or not.

VERY SPECIAL CIRCUMSTANCES

4.18 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4.19 Circumstances that are accepted as being "very special" are very rare, but will often involve a specific judgement being made that no other option is available in the light of the unique circumstances and individual case. These circumstances are not common and should be rarely likely to be repeatable.

4.20 The applicant has made a submission which they feel should constitute very special circumstances to be taken into account when considering the application. The increase in living accommodation that the application would provide would allow for two elderly parents to live at the property whilst retaining a degree of privacy for all parties. The parents both have impaired mobility and health problems and as such would live on the ground floor allowing the first and second floors to be used by the remaining family members.

4.21 Whilst the additional residential accommodation would improve the living conditions for all parties it does not represent very special circumstances which would outweigh the harm caused to the openness of the green belt as a result of the proposal. The property was purchased in August 2013 and as such it is not the case that an established family home is being extended to accommodate relatives who have no other option than to live in this property, preventing the need to relocate. If the family were seeking enlarged accommodation it may have been possible to purchase a more appropriate property outside of the green belt or one that required less extensive alterations negating the need for inappropriate development. Furthermore the particular circumstances of this case are unlikely to be considered to be unique and rarely repeatable.

NEIGHBOURS AMENITY

4.22 Concerns have been raised by neighbours in connection with the potential loss of privacy. At present the property presents two windows to the rear elevation, a bathroom and bedroom. The proposed extension would retain two windows to the rear opening into a bathroom and living room. It is considered that there would not be any increased loss of privacy as a result. The proposed balcony is relatively large and is located approximately 2.4m high. However it would be approximately 26m to the nearest residential property and at an acute angle, again preventing any loss of privacy.

BATS

4.23 Whilst a request has been made for a bat survey it was considered that due to the unacceptability of the proposal it would be inappropriate to ask for a survey when the application was to be recommended for refusal.

5.0 CONCLUSION

5.1 It is considered that the design of the proposed extensions are not in keeping with the character of the original dwelling and represent disproportionate additions over and above the original size of the building resulting in inappropriate development in the green belt.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Householder Refusal

1 It is considered that the proposed increase in height of the existing side extension, the scale and design of the two storey front extension and the creation of

a balcony would not appear subservient in relation to the host dwelling and would represent a disproportionate addition.

Furthermore, the resultant dwelling would have an awkward appearance which would be at odds within this location and would be detrimental to the rural character of the area. As such, the proposal would conflict with advice relating to design contained within the National Planning Policy Framework (March 2012), and with Policies GP1 (a, b and c) and H7 (a and e) of the City of York Draft Development Control Local Plan and advice contained within Section 7 of York Supplementary Planning Guidance on House Extensions and Alterations (2012).

2 It is considered that the proposed extension would constitute a disproportionate addition to the original dwelling and thus constitutes an inappropriate form of development that would, by definition, be harmful to the Green Belt. It is considered that the proposal would be harmful to the openness of the Green Belt, and thus would be contrary to national planning advice contained within paragraphs 88 and 89 of the National Planning Policy Framework (March 2012) and Policies GB1 (Development in the Green Belt) and GB4 (Extensions to Existing Dwellings in the Green Belt) of the City Of York Draft Local Plan.

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187). However, it was not felt possible to achieve a positive outcome through negotiation resulting in planning permission being refused for the reasons stated.

Contact details:

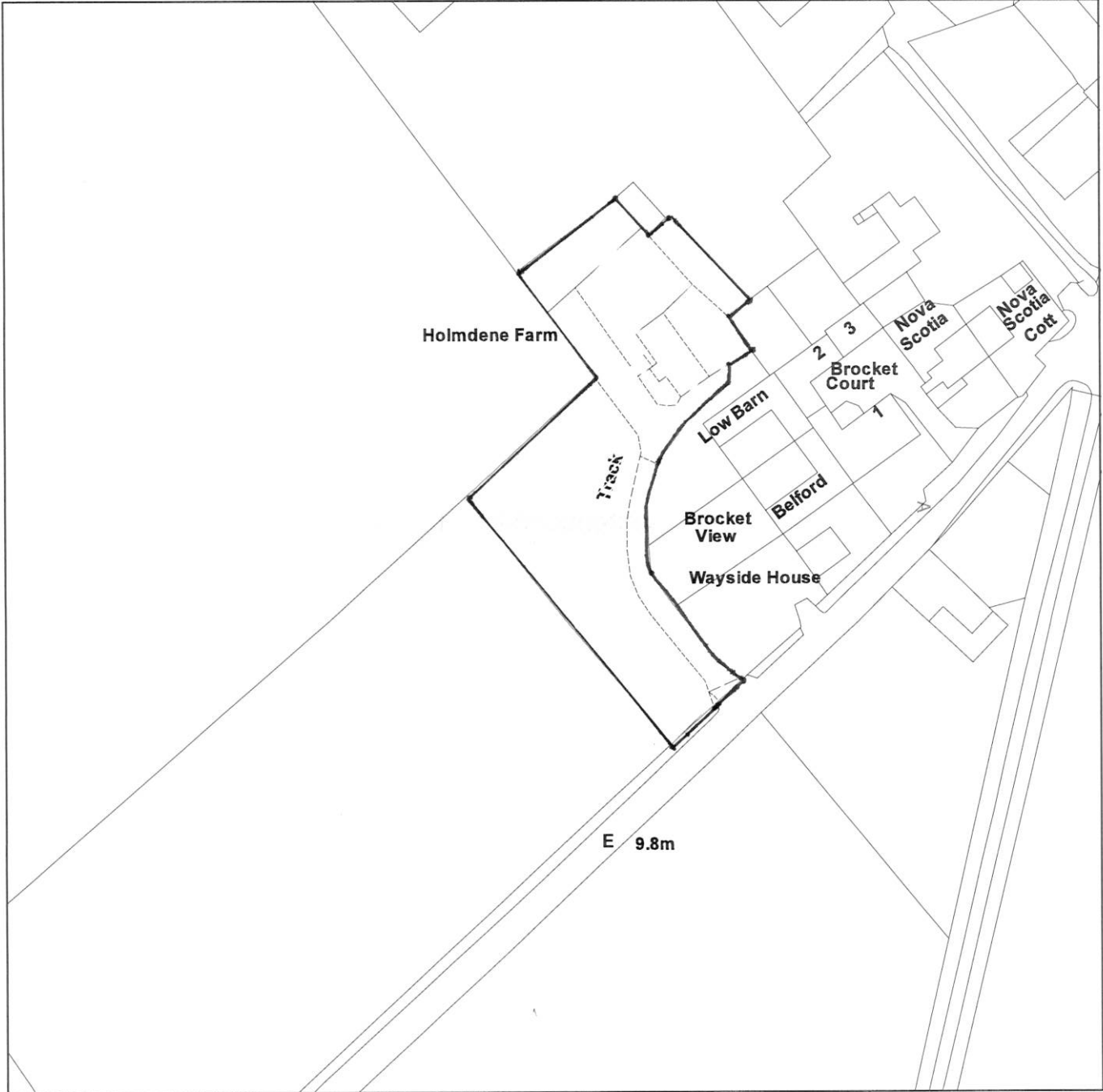
Author: Heather Fairy (Mon - Wed) Development Management Officer

Tel No: 01904 552217

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14/00447/FUL

Holmedene, Intake Lane



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	27 May 2014
SLA Number	Not Set

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COMMITTEE REPORT

Date: 5 June 2014 **Ward:** Dringhouses And
Woodthorpe
Team: Householder and **Parish:** Dringhouses/Woodthorpe
Small Scale Team Planning Panel

Reference: 14/00489/FUL
Application at: 1 Dringthorpe Road York YO24 1NF
For: Two storey side extension (resubmission)
By: Mr W Jones
Application Type: Full Application
Target Date: 29 April 2014
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application seeks permission for the erection of a two storey side extension at 1 Dringthorpe Road.

Relevant History

1.2 Two storey side extension - Approved 28.07.2011 (11/00696/FUL). Two storey side extension - Refused 04.11.2013 and dismissed at appeal 21.01.2014 (13/03057/FUL)

Call-in

1.3 The application has been called to committee with a site visit by Cllr G Hodgson on the grounds that the application has been ongoing with numerous revised plans being submitted but no resolution has been reached.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1 Design
CYH7 Residential extensions

3.0 CONSULTATIONS

Dringhouses and Woodthorpe Planning Panel

3.1 Support the application

Neighbour Notification/Publicity

3.2 No comments received

4.0 APPRAISAL

4.1 Key Issues

- Design
- Impact upon neighbours amenity

4.2 The National Planning Policy Framework (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, a principle set out in paragraph 17.

4.3 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.4 The relevant City of York Council Local Plan Policies are H7 and GP1. 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.

4.5 Policy GP1 'Design' of the City of York Local Plan Deposit Draft refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

4.6 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations and was approved on 4 December 2012. The SPD advises (7.1 and 7.2) that any extension should be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally, key criteria includes the degree of enclosure of the street and the character of the space between the buildings. In respect of side extensions the guidance states that if not sensitively designed they can erode the open space within the street and that unduly wide extensions should normally be avoided.

Side extensions should be subservient to the main house and where built to the boundary should be set-back from the front elevation, where the spacing between houses is a very important intact characteristic of the street it may be that a clear gap is required to the boundary.

SCHEME

4.7 The application site is a semi-detached dwelling which faces onto the junction of Dringthorpe Road and Lycett Road and has a generous side garden. Planning permission was granted in 2011 for a two storey side extension which was set at an angle to the host dwelling in order to follow the site boundary. The main element had a frontage of approximately 6m before dropping to a single storey garage to the boundary with 3 Dringthorpe Road.

4.8 An application was submitted in September 2013 for a revised scheme which sought permission for the extension to be two-storey across the whole frontage for a length of 9m, incorporating an integral garage as part of the two-storey element. The extension would adjoin the boundary with no. 3 Dringhouses, which has previously been extended to a height of one and a half storeys along the boundary. This application was refused and subsequently dismissed at appeal. The Inspector made it clear that the relationship between the application site and no. 3 needed to be carefully considered. In addition it was mentioned that the frontage of the extension would be very wide and would not result in a subordinate scheme in relation to the existing property. It went on to specifically point out that the previous approval allowed for a single storey element to the boundary with number 3 which gave a visual break and improved the relationship.

4.9 The current application seeks permission for a two storey side extension with a reduced eaves incorporating two hipped roof semi dormer windows to the front elevation and one to the rear. The main dwelling would incorporate a semi hipped roof to the side in order to accommodate the proposed extension below. The extension would be constructed with a gable end to reflect that of number 3 Dringthorpe Road. The footprint of the proposed extension would be the same as the previous refusal but the first floor element has been pulled in from the boundary with number 3 Dringthorpe Road by approximately 1.1m.

AMENITY

4.10 The proposed extension would not appear to have any detrimental impact upon the amenity of neighbouring properties. The side gable end would project forward of the front dormer of 3 Dringthorpe Road but it is considered that there would not be any detrimental impact in terms of loss of light or over-dominance. There would be no loss of privacy to any neighbouring property as a direct result of the proposal.

DESIGN

4.11 It is considered that the revised proposal would still result in a disproportionate addition to the original dwelling, resulting in an extension which would not appear subservient. It is noted that the extension is set down from the original ridge and set back slightly from the front elevation but the length of the extension at two storey level would be significantly wider than the host dwelling. Whilst the extension is at an angle to the host dwelling it would still be seen in context with its frontage and would be unduly dominant.

4.12 The extension would also be poorly related to the neighbouring property at 3 Dringthorpe Road. This property has been previously extended at one and a half storeys with dormers to the front and rear. The proposed extension has been revised and is now inset from this boundary, which does allow for a visual break between the two, but it is still considered that it results in an awkward juxtaposition between the two extensions and does not remove the concerns over terracing.

4.13 A number of alternative scheme have been submitted as part of this submission in order to overcome the issues raised. However, it is still felt that the scheme now before officers is not acceptable and would be detrimental to the streetscene and the character of the area.

4.14 It is noted that planning permission has previously been granted and implemented for a two storey side extension. However, this incorporated a single storey garage adjacent to the boundary with number 3 Dringthorpe Road which resulted in a greater degree of separation at first floor level, a more subservient scheme, and a better relationship between the two properties.

5.0 CONCLUSION

5.1 Whilst a number of revised plans have been submitted in order to overcome issues relating to design and visual impact it is considered that the proposal would still be detrimental to the character of the area and result in a disproportionate addition to the dwelling.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the lack of separation and difference in height between the application site and the adjacent extension at 3 Dringthorpe Road would result in a poor relationship between the properties which would adversely affect the character and appearance of the streetscene. Furthermore the proposed length of the two storey extension and its resultant mass would not appear subservient in relation to the host dwelling and would represent a disproportionate addition which

would be detrimental to the character and appearance of the streetscene. As such, the proposal would conflict with advice relating to design contained within the National Planning Policy Framework (March 2012), with Policies GP1 (a, b and c) and H7 (a and e) of the City of York Draft Development Control Local Plan and design guidance set out in the Supplementary Planning Document "House Extensions and Alterations" approved December 2012.

7.0 INFORMATIVES:

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. However, as work already appears to have commenced on the extension, it was not possible to achieve a positive outcome, resulting in planning permission being refused for the reasons stated. In addition, planning permission has previously been granted for an alternative, more modest proposal which was considered to be acceptable.

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14/00489/FUL

1 Dringthorpe Road



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COMMITTEE REPORT

Date: 5 June 2014 **Ward:** Fulford
Team: Major and **Parish:** Fulford Parish Council
Commercial Team

Reference: 14/00641/FUL
Application at: Fulford School, Fulfordgate York YO10 4FY
For: Erection of detached building to house electrical substation
By: City Of York Council
Application Type: Full Application
Target Date: 14 May 2014
Recommendation: Approve

1.0 PROPOSAL

1.1 The application site is Fulford Secondary School. It is proposed to erect an electrical sub-station at the entrance to the school. It would be erected on an area of tarmac used for car parking and a section of grass verge. The sub-station is being erected in response to the proposed expansion of the school.

1.2 The building originally proposed was 7.5m wide, 3.1m deep and 3.2m high. Revised plans were submitted in the course of the application slightly altering the size of the flat roof brick building. The revised building is 6.3m wide, 3.8m deep and 3.0m high. The 0.7m increase in depth has meant that the building is proposed 0.1m from the palisade fence that adjoins the site rather than 0.55m as originally proposed.

1.3 The application is brought to Committee as it is submitted by the City Of York Council and objections have been received.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

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

Schools GMS Constraints: Fulford 0246

Schools GMS Constraints: St. Oswald's CE Primary 0228

2.2 Policies:

CYGP1 Design

CYED1 Primary and Secondary Education

CYNE1 Trees, woodlands, hedgerows

Application Reference Number: 14/00641/FUL

Item No: 4e

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3.0 CONSULTATIONS

INTERNAL

City Archaeologist

3.1 This site is of archaeological interest. It lies outside the formally defined area of Archaeological Interest but in an area that has produced significant archaeological features and deposits dating from the third millennium BC to the medieval period.

An archaeological watching brief on all groundworks will be required to record these features and deposits.

Environmental Protection Unit

3.2 No objections based on sound details submitted. Informatives suggested in respect to contamination and construction.

EXTERNAL

Fulford Parish Council

3.3 Object for the following reasons:

- That the proposed location is inappropriate being too close to a public footpath, tennis courts and public open space.
- Insufficient information has been provided regarding the reasons for re-location of the substation.
- The design and access statement is considered to be wholly inadequate and there is no information on the impact of construction on adjacent trees.

Neighbours and Publicity

3.4 No comments received.

4.0 APPRAISAL

4.1 The key issues in assessing the proposal are:

- Impact on streetscene
- Impact on neighbours living conditions.
- Loss of car parking
- Crime and safety
- Impact on trees

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies.

At its heart is a presumption in favour of sustainable development. The framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. A principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.3 Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. The NPPF states that there are three dimensions to sustainable development - an economic role, a social role and an environmental role.

4.4 In respect to schools Paragraph 72 states that the Government attaches great importance to ensuring sufficient school places are available and give great weight to the need to create, expand or alter schools.

4.5 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.6 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.

4.7 Local Plan Policy ED1 relates to schools. It states that the development should meet a recognised need, and be of a scale and design appropriate to the appearance and character of the locality.

4.8 Local Plan Policy NE1 relates to trees. It states that trees of value shall be protected and replanting shall be undertaken to compensate for their loss.

Impact on the streetscene

4.9 The sub-station building is functional in appearance. It would be preferable if it were not located at the entrance to the school site. The approach to the school is relatively attractive and the grounds well landscaped. The case officer visited the school with the applicant to ensure that no preferable alternative sites were available. The location of the very high voltage underground power line running into the site imposes constraints on possible locations.

It is understood that sites within the vicinity of the bike sheds and existing sub station are not suitable either because of technical issues with the cabling or because of the need to re-locate the large bike sheds to an alternative site. The electricity supplier prefers the proposed site as its location towards the edge of the school grounds makes access for maintenance easier. It also reduces the length of high powered cable running through the school site which reduces safety issues relating to any excavation work that may take place within the school grounds in future years.

4.10 The applicant confirmed that proposed site was the preferred choice of the school's Senior Leadership Team which makes higher level decisions regarding new developments. The team includes the head teacher and business manager.

4.11 On balance it is considered given the essential nature of the sub-station and the limited places where it could be located any impact on the streetscene is not such to justify refusal. It is the case that it is a relatively modest building and its impact will be partly softened by nearby trees. It is noted that it will also impact on the adjacent tennis courts. The courts are surrounded by netting and floodlights and are of little aesthetic value and the adjacent changing rooms and store building are functional in appearance. It is not considered that any impact on character would be so significant as to justify refusal of the application.

Impact on neighbours living conditions.

4.12 The development would have little impact on the light and outlook of neighbouring houses. It is noted that the caretakers house is now used as an educational/community building.

4.13 The key issue is the impact of noise on living conditions, particularly when background noise levels are low. The Council's Environmental Protection officers requested details of the level and nature of sound that would be emitted from the sub-station. They confirm that based on the sound power level of 59dB (A) at 1000 Hz there would be no objections. It is understood a similar sub-station is sited at Tanner Row near West Offices. This was visited at peak generating time (mid-day) and it was noted that even immediately outside the structure the 'humming' noise coming from the building was barely audible.

Loss of car parking

4.14 The proposed development will lead to the loss of two or three car parking spaces and will require the re-location of space for a small number of motor cycles to park. It is understood that parking at the school site is at a premium, however, it is not considered that the loss of a small number of spaces will have a significant material impact on parking conditions on roads around the school site.

Crime and safety

4.15 A 2m high palisade fence runs between the school boundary and the adjacent playing field/tennis courts. On the side of the playing fields is a public footpath. The path is relatively well used, particularly by school children. It is not considered that the sub-station will significantly increase safety risks to users of the path as the sub-station is separated from it by the existing fence. The sub station will obscure views of the path, however, this is for a small strip and the level of overlooking of the path as a whole will generally be little different. The footpath into the school is on the opposite side of the road to the sub-station.

Impact on trees

4.16 Plans indicate that the sub station will lead to the loss of one mature flowering cherry tree and may require the canopy of two adjacent trees to be cut back. Although it is unfortunate to see the loss of the tree, in the context of the locational constraints for the sub station it is considered justifiable. It would appear that the tree to be lost is in poor 'health'. It is noted that the tree to the north of the site of the sub-station will help soften the impact of the structure when entering the grounds. The area of school in close proximity to the sub-station is attractively landscaped. Conditions have been included relating to trees. These require the protection of adjacent trees during construction work and for any further trees lost through development to be suitably replaced.

5.0 CONCLUSION

5.1 It is acknowledged that the sub-station would to some extent detract from the setting of the approach to the school, as well as the adjacent open space, as it is by its nature a functional building. However, the new sub-station is essential to allow an adequate electricity supply to be maintained to the proposed enlarged school. Because of safety and technical reasons there are no alternative preferable locations. On balance, it is not considered the harm caused by the structure is such to outweigh the benefits from maintaining an electricity supply to the vital facility.

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:-

Revised elevations and site plans 130121 SPL Rev A received by email by the Local Planning Authority on 25 April 2014.

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 any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

4 No work shall commence on site until the applicant has secured the implementation of a programme of archaeological work (a watching brief on all ground works by an approved archaeological unit) in accordance with a specification supplied by the Local Planning Authority. This programme and the archaeological unit shall be approved in writing by the Local Planning Authority before development commences.

Reason: The site lies within an Area of Archaeological Importance and the development will affect important archaeological deposits which must be recorded during the construction programme.

5 The noise level of the equipment in the building shall accord with the ENA Technical Specification 35-1 received by the Local Planning Authority from Northern Powergrid on 25 April 2014.

Reason: In the interests of residential amenity

6 Prior to the commencement of development a construction method statement shall be submitted to and agreed in writing with the Local Planning Authority showing temporary protection to retained trees in accordance with British Standard BS5837. The works shall be undertaken in accordance with the approved method statement.

Reason: To minimise the impact on nearby trees.

7 Any trees immediately adjacent to the sub-station 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 new trees, the size and species of which shall be agreed in writing by the Local Planning

Authority.

Reason: To protect the appearance of the school site when viewed from adjacent land.

**7.0 INFORMATIVES:
Notes to Applicant**

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome:

Additional details were sought to address concerns in respect to noise and a site visit undertaken to explore alternative sites where the sub-station could be located.

2. CONTAMINATED LAND

If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a scheme remediation to the satisfaction of the Local Planning Authority. 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 IIA of the Environmental Protection Act 1990.

3. DEMOLITION AND CONSTRUCTION

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(i) All demolition and construction works shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

(ii) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(iii) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(iv) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(v) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(vi) There shall be no bonfires on the site.

Contact details:

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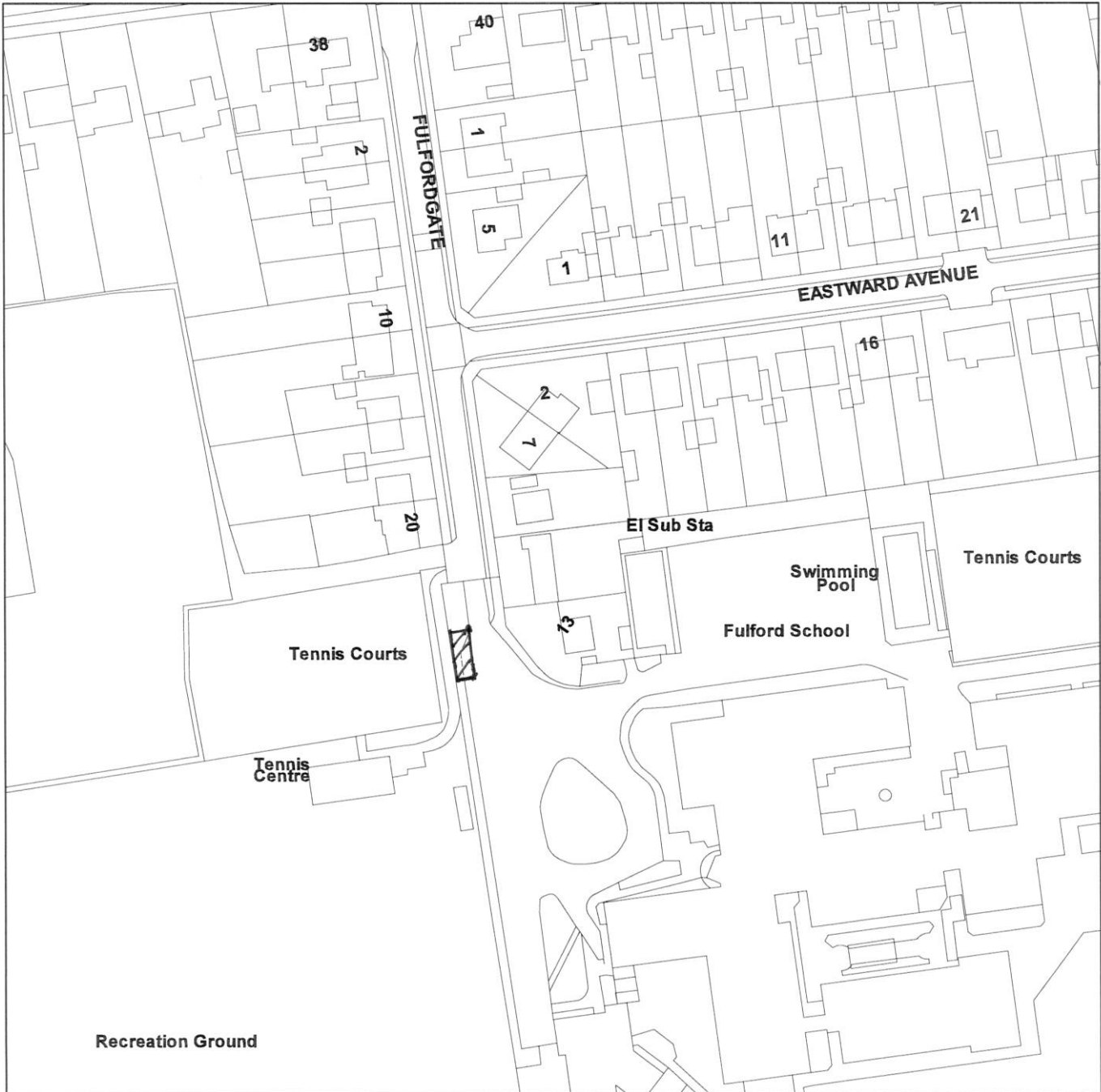
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14/00641/GRG3

Fulford School



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Comments	Not Set
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COMMITTEE REPORT

Date: 5 June 2014 **Ward:** Dringhouses/
Woodthorpe
Team: Householder/Small **Parish:** Dringhouses/Woodthorpe
Scale Team Planning Panel

Reference: 14/00925/FUL
Application at: 60 Hunters Way York YO24 1JJ
For: Single storey rear extension and dormer to rear
By: Mr and Mrs Cragg
Application Type: Full Application
Target Date: 11 June 2014
Recommendation: Householder Approval

1.0 PROPOSAL

1.1 This application seeks permission for a single storey rear extension, to span the whole of the existing rear elevation, which includes a side extension, to provide additional living space. A small rear dormer is also proposed within the existing roofspace to the side extension - this is to provide sufficient space for an en-suite bathroom to be added by way of reducing the size of the existing bedroom. A matching brick is proposed to the rear elevation, with zinc roof; along with zinc cladding to the proposed dormer.

1.2 This traditional style semi-detached dwelling is sited within a residential area made up largely of similar style dwellings.

Relevant Planning History

1.3 Application No. 02/00057/FUL - Erection of pitched roof two storey side and single storey rear extension. Approved 08.02.2002

1.4 The application is brought to committee for decision as the applicant works within the Development Management Team of City of York Council.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYH7 Residential extensions
CYGP1 Design

3.0 CONSULTATIONS

Dringhouses/Woodthorpe Planning Panel

3.1 Letter of support received.

Neighbour Notification/Publicity

3.2 No reply received up to date of writing.

4.0 APPRAISAL

4.1 Key Issues:

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

POLICY CONTEXT

4.2 The National Planning Policy Framework (March 2012) sets out 12 core planning principles that should underpin both plan-making and decision-taking. Of particular relevance here is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'

4.3 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.4 DEVELOPMENT CONTROL 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.

4.5 DEVELOPMENT CONTROL LOCAL PLAN POLICY GP1 refers to design, for all types of development. Of particular relevance here are the criteria referring to good design and general neighbour amenity.

4.6 The Council has a Supplementary Planning Document (SPD) for House Extensions and Alterations. The SPD was subject to consultation from January 2012 to March 2012 and was approved at Cabinet on 4 December 2012.

The SPD offers overarching general advice relating to such issues as privacy and overshadowing as well as advice which is specific to particular types of extensions or alterations. Advice in the document is consistent with local and national planning policies and is a material consideration when making planning decisions. Advice in paragraph 7.5 states that extensions should respect the appearance of the house and street unless a justification can be given showing how the development will enhance the streetscene. Proposals should not unduly affect neighbouring amenity with particular regard to privacy, overshadowing/loss of light or over-dominance/loss of light. Para 14.5 advises that dormers should be designed so that they do not dominate the roof. The style, materials and shape of dormers should relate to the appearance of the house, including the position of existing windows

ASSESSMENT

IMPACT UPON THE DWELLING AND THE CHARACTER AND APPEARANCE OF THE SURROUNDING AREA

4.7 As the additions proposed are all to the rear they will not be open to public view. The dwelling lies within a large plot, thus, although it has already been extended to the side and rear, as mentioned above, these further additions are considered in keeping with the scale of the dwelling and plot. The proposed materials of matching brick and zinc roof, and proposed fenestration are in keeping with the existing dwelling. A large garden, to the rear, provides ample amenity space; and external access from the front to rear will be retained by the small passageway in place to the side. No change in car/cycle/bin storage requirement will ensue, though sufficient is provided within the existing driveway/garage/passageway.

4.8 The proposed dormer will replace a large section of rooflights and incorporates appropriate zinc cladding; the dormer is small in scale and will not dominate the appearance of the rear roofslope, in line with CYC Supplementary Planning Guidance, mentioned above.

IMPACT UPON NEIGHBOURING AMENITY

4.9 The proposed rear extension will project approx. 3 metres more than the rear of the existing small rear extension in place. It will be set off the common boundary with No. 58 Hunters Way by approx 0.8 metres. This neighbouring dwelling has a two-storey side extension in place along this common boundary; and fencing and shrubbery is in place along this boundary approx. 2 metres high. The other adjacent dwelling, No. 62 Hunters Way has a single storey rear extension in place which projects approx. 3 metres to the rear, and again boundary fencing and shrubbery

also bounds this common boundary. Taking all of the above into account it is not considered any significant loss of amenity will occur to these neighbouring residents, with particular regard to loss of outlook/light/overshadowing or loss of privacy.

4.10 Though the proposed dormer will gain some views over the rear garden of No. 58 Hunters Way, it is not considered this will result in significant additional loss of privacy, taking into account that this garden is already overlooked by first floor windows in place at the host and also to No. 56 Hunters Way.

5.0 CONCLUSION

5.1 The proposals are considered to comply with the NPFF, CYC Development Local Plan Policies H7 and GP1 and Supplementary Planning Guidance to Householders. Approval is recommended.

6.0 RECOMMENDATION: Householder Approval

1 TIME2 Development start within three years -

2 The materials to be used externally for the roof and brickwork shall match those of the existing buildings in colour, size, shape and texture.

Reason: To achieve a visually acceptable form of development.

3 PLANS1 Approved plans - 831/2 received on 15/04/2014

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

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14/00925/FUL

60 Hunters Way



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