
Meeting	Area Planning Sub-Committee
Date	5 May 2016
Present	Councillors Galvin (Chair), Shepherd (Vice-Chair), Carr, Derbyshire, Gillies, Hunter, Cannon, Looker, Mercer, Orrell and Taylor (Substitute for Councillor Craghill)
Apologies	Councillor Craghill

Site	Visited by	Reason for Visit
71-73 Fulford Road, York	Councillors Cannon, Galvin, Gillies, Mercer and Shepherd.	As the application was recommended for approval and objections had been received.
8 Petercroft Lane, Dunnington	Councillors Cannon, Galvin, Gillies, Mercer and Shepherd.	As the application was recommended for approval and objections had been received.
99 Long Ridge Lane, Nether Poppleton	Councillors Cannon, Galvin, Gillies, Mercer and Shepherd.	As the application was recommended for refusal and had been called in by the Ward Member.

55. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda.

Councillor Taylor declared a personal interest in Agenda Item 4a) 71-73 Fulford Road as he lived on New Walk Terrace which was in a residential priority parking scheme zone area.

No other interests were declared.

56. Minutes

In regards to Minute Item 54a) Groves Chapel of the 7 April minutes, Councillor Taylor requested the deletion of the words “but they thought this was only to put a floor across the interior of the chapel to use it as a meeting room” reported in response to a question from a Member, on the grounds of accuracy.

Councillor Taylor moved deletion of this response. On being put to the vote, this fell.

Resolved: That the minutes of the meetings of the Area Planning Sub Committee held on 10 March and 7 April 2016 were approved as correct records and then signed by the Chair.

57. Public Participation

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

58. Plans List

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

58a) 71-73 Fulford Road, York, YO10 4BD (15/02888/FULM)

Members considered a major full application by the Skelwith Group for the conversion of a guesthouse to 10 no. flats (use class C3).

Officers gave an update to Members in which they informed them that revised plans had been submitted to show that applicants could make use of the rear alley at the rear of 63-69 Fulford Road to transport bins and cycles.

They also proposed an additional planning condition to require a travel plan, if Members were minded to approve the application.

They reported that Councillor D'Agorne had submitted comments in support of the recommended conditions of cycle parking, the offer of bus passes to the first residents and an additional car club spot in close vicinity. He had asked Highways Network Management if two car parking spaces outside of the site were suitable and asked for the short section of the 'guest parking' respark to be replaced with double yellow lines, as there were concerns over safety given the proximity of the junction opposite and to residents coming from Ellwood Court. However, Officers felt that this was not relevant to this particular application and could be dealt with under highway legislation.

Members sought clarification from Officers on access and rights of way in relation to parking on the site. It was reported that planning permission did not override private property rights so the owners of the rear access which belonged to the owners of Ellwood Court, could prevent future residents from crossing their land if they wanted to. However, there was a potential access from a footpath to the rear of 63-69 Fulford Road which could be used.

Representations in objection were received from Karen Lee, the Company Secretary of the owners of the freehold of Ellwood Court. She mentioned that the residents of Ellwood Court held the freehold of the rear access and that they had given conditional access to Saxon House when it was a hotel to cross over the land. This condition remained in place whilst it was a hotel, however it would no longer operate as a hotel and therefore that condition would be extinguished for the proposed flats. She expressed concerns that the only parking spaces that were proposed, were ones that would be accessed by crossing land owned by Ellwood Court residents, and that the applicants had not discussed the arrangements with residents.

Officers were asked whether residents could be provided with a bus pass as they had been excluded from the R20 zone as suggested by the Council's Highway Network Management. It was confirmed that they could be provided with bus passes and car club membership and this was encouraged within the travel plan for the development.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and the prior completion of a planning obligation under section 106 of the Planning Act to secure the following:

- Car Club Membership-1 year
- Bus Pass- 6 months

Reason: The development is acceptable in principle and compared to the extant use there is no evidence there would be harm on neighbour's amenity or highway safety. There would be adequate levels of amenity for future occupants. The scheme does not conflict with the policies of the NPPF.

**58b) 8 Petercroft Lane, Dunnington, York, YO19 5NQ
(15/02813/FUL)**

Members considered a full application from Mr Peter Hodgson for the erection of a dwelling to the rear and a replacement garage.

In their update to Members, Officers reported that Paragraph 4.7 should refer to Design Guideline 9 of the Village Design Statement. It was incorrect for the report to suggest that there was not a specific guideline, although the guideline did not oppose sub-division in principle.

Representations in support of the application were received from Martin Hodgson the son of the applicant. He informed Members that the proposed dwelling was for his father who was blind so that he could live more comfortably.

Representations were received from Stuart Kay on behalf of Dunnington Parish Council. He informed the Committee that they did not support back garden developments, of which this would be the third in the village. The development would be a single storey house with a dormer in a line of single storey houses.

Further representations were received from Councillor Brooks, the Ward Member. She spoke about the ineffective surface water drainage in Dunnington. She commented how she felt that small developments in the village added to the water discharge levels and she requested that if approved that a surface water run off rate of 1.4l/s/ha be conditioned.

In response to questions from Members about whether they could condition the surface water run off, Officers replied that the plans for the development had shown a hydrobrake system and a request could be made for a permeable driveway. Nonetheless, with a permeable driveway this was unlikely to reach the level desired.

Resolved: That the application be approved subject to the conditions listed in the Officer's report and the addition of an informative to state that permeable paving should be used as a means of surface water drainage.

Reason: As the application accords with the national planning policy in the NPPF and relevant policies in the 2005 City of York Draft Local Plan.

**58c) 99 Long Ridge Lane, Nether Poppleton, York YO26 6LW
(15/02940/FUL)**

Members considered a full application from Mr Nicholas Reynolds for the erection of a raised platform with a children's playhouse and attached slide and steps (retrospective).

Officers informed Members that they had received additional comments from an objector to the application. The comments stated that those residents who were in support of the application would not be directly affected by the structure and that they had no objections to the ground level equipment.

Representations were received from the applicant Nicholas Reynolds. He informed the Committee how he had built the structure for his children out of reclaimed materials. Following comments from an objector he had increased the planted screening to restrict the view.

In response to a Member's question, the applicant confirmed that the platform had been constructed in 2011 and the playhouse in 2013 and that he did not intend to demolish it if he moved away as his daughters wished to retain it for their children.

Some Members suggested that if the playhouse had no windows and the walkway was not accessible that there would

not be an issue with overlooking. Officers confirmed that it was not the playhouse that was issue, it was with the use of the slide and the platform.

Other Members suggested extending the fence and having dense planting on the platform to reduce overlooking of the neighbour's garden. Consideration was also given to giving a temporary approval of between three and fifteen years.

Councillor Gillies moved and Councillor Cannon seconded approval.

Resolved: That the application be approved; subject to the imposition of conditions related to screening to be delegated to Officers for consideration and approval.

Reason: Subject to a condition to increase the screen between the play structure and the neighbouring garden it is considered that any loss of privacy would not be so significant as to outweigh the presumption in favour of sustainable development.

59. 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 between 1 January and 31 March 2016. The report also included a list of outstanding appeals to date.

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 J Galvin, Chair

[The meeting started at 4.30 pm and finished at 5.50 pm].