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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	13 DECEMBER 2007
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, KING (FOR AGENDA ITEMS 1-3, 4A, B & F), TAYLOR, VASSIE (EXCEPT AGENDA ITEMS 4D & E) AND WISEMAN
IN ATTENDANCE	COUNCILLOR SCOTT (FOR AGENDA ITEMS 1-3, 4A, B & F)

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**65. INSPECTION OF SITES**

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Novotel, Fewster Way, York	Councillors Moore and Douglas	At the request of Cllr D'Agorne
Cherry Lodge, 38 Burton Stone Lane, York	Councillors Moore, Douglas & Wiseman	As objections have been received and the application is recommended for approval
30 Carlton Avenue, York	Councillors Moore and Douglas	As objections have been received and the application is recommended for approval
St Olave's School, Queen Anne's Road, York	Councillors Moore, Douglas, King & Wiseman	As objections have been received and the application is recommended for approval, and to allow new Members to view the site
63 Willow Glade, Huntington, York	Councillors Moore, Douglas & Wiseman	As objections have been received and the application is recommended for approval

## **66. DECLARATIONS OF INTEREST**

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

Councillor Vassie declared a personal prejudicial interest in agenda item 4a (Novotel, Fewster Way, York) as he had recently employed the architect for the scheme. He left the room and took no part in the discussion or decision on the item.

Councillor Hyman declared a personal non-prejudicial interest in agenda item 4c (30 Carlton Avenue, York) as the speaker in objection to the application was known to him.

Councillor Firth declared a personal non-prejudicial interest in agenda item 4f (St Olave's School, Queen Anne's Road, York) as his children formerly attended the school.

Councillor King declared a personal non-prejudicial interest in agenda item 4f (St Olave's School, Queen Anne's Road, York) as he had already made his views, in objection to the application, known in the press. He addressed the Sub-Committee from the floor, then left the room and took no further part in the discussion or decision on the item.

## **67. MINUTES**

RESOLVED: That the minutes of the meetings of the Sub-Committee held on 8 November 2007 and 22 November 2007 be approved as a correct record and signed by the Chair.

## **68. PUBLIC PARTICIPATION**

It was reported that nobody had registered to speak, under the Council's Public Participation Scheme, on general issues within the remit of the Sub-Committee.

## **69. PLANS LIST**

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

### **69a Novotel, Fewster Way, York YO10 4AD (07/02408/FULM)**

Members considered a major full application, submitted by The Accor Group, for alterations and extensions to the existing hotel and replacement of existing bedroom windows.

The case officer outlined revised wording for the proposed reason for refusal, which made reference to specific parts of national and local planning policies. He reported that 8 additional letters had been received following submission of revised drawings and outlined the objections they contained. He also reported that the submitted petition had been updated and now contained 377 signatures.

Representations were received in objection to the application, on behalf of the residents of William Court and regarding the size of the proposed development, and in support of the application, from the applicant's agent. Representations were also received from Cllr David Scott, in objection to the application.

Members expressed concern regarding the overbearing appearance of the proposed building when viewed from William Court and also from the river. They also raised concerns relating to the level of car parking provision and the appearance of the 'Brise Soleil' window units.

RESOLVED: That the application be refused.<sup>1</sup>

REASON: It is considered that the proposed extension would appear unduly intrusive and overbearing when viewed from the habitable windows in the north elevation of the properties at 19-25 William Court by virtue of its scale, siting and overall massing, together with its distance from these residential properties. As such the living conditions of the occupants of these residential properties would be unduly harmed by virtue of the development, contrary to the core principle of sustainable development set out in Planning Policy Statement no.1 (2005) "Delivering Sustainable Development", and criterion "e" of policy V1 and criteria "b" and "i" of policy GP1 of the City of York Draft Local Plan 2005.

#### Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

#### **69b Cherry Lodge, 38 Burton Stone Lane, York YO30 6BU (07/01723/FUL)**

Members considered a full application, submitted by Steven Green, for change of use to a house in multiple occupation (HMO).

Representations were received from Cllr David Scott, Clifton Ward Councillor, in objection to the application. The applicant also attended the meeting to answer Members' questions.

Some Members expressed concern that the building had the potential to be a family home and should not therefore become an HMO.

RESOLVED: That the application be approved, subject to the conditions listed in the report.<sup>1</sup>

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of development, impact on the conservation area, occupier amenity, neighbour amenity, refuse/recycling and highway issues. As such the proposal complies with policies GP1, and H8 of the City of York Local Plan Deposit Draft.

Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

**69c 30 Carlton Avenue, York YO10 3JZ (07/01323/FUL)**

Members considered a full application, submitted by Barry Thompson, for a two storey pitched roof side and rear extension and change of use to 2 no. x 2 bedroom flats.

Representations were received in objection to the application, from a neighbouring resident, and in support of the application, from the applicant. The applicant also circulated photographs of the site for Members' consideration.

Members expressed concerns regarding the loss of a family home and overlooking of adjacent properties. They also highlighted the poor access to the cycle store and the lack of amenity for future occupiers, in terms of the size of the garden and the lack of direct access to it for residents of the proposed first floor flat. Some Members also expressed concern regarding the levels of on-site parking provision.

RESOLVED: That the application be refused.<sup>1</sup>

REASON: It is considered that the first-floor extension and use of the upper floor as a separate dwelling would result in an unacceptable increase in **overlooking** of the house and garden at 17 Wolviston Avenue to the detriment of the amenities of the occupiers contrary to policies GP1 and H7 of the City of York draft Local Plan.

It is considered that the proposed conversion to flats would result in the **loss of a family house**, a type of dwelling for which there is a clearly identifiable need within the City of York, thereby increasing the disparity between the supply of family houses and the supply of flats, contrary to the conclusions of the York Strategic Housing Market

Assessment, which has been formally approved by the local planning authority for development control purposes.

It is considered that the proposal would provide an unacceptably small area of **useable amenity space with poor access from the first floor flat** to the detriment of the residential amenity of the future occupiers.

It is considered that the proposed **access to the cycle store** at the rear of the property would be inadequate, due to its narrow width, and would result in occupiers of the dwellings being deterred from using the store, contrary to the council's sustainable travel objectives and policy T4 of the City of York Draft Local Plan.

Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

**69d 20 Byron Drive, York YO30 5SN (07/02419/FUL)**

Members considered a full application, submitted by Neil Winn, for a single storey pitched roof side and rear extension after demolition of a garage (resubmission).

Representations were received in objection to the application, from a neighbouring resident.

Members expressed concern regarding the impact of the proposed development on the adjacent property at 22 Byron Drive.

RESOLVED: That the application be refused.<sup>1</sup>

REASON: It is considered that the proposed extension would result in an unacceptable impact on the amenity and living conditions of the occupiers of the adjacent dwelling (22 Byron Drive) by virtue of its size, scale, massing and proximity to the boundary and the loss of light and outlook that would result.

Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

**69e 52 Naburn Lane, Fulford, York YO19 4RL (07/02459/FUL)**

Members considered a full application, submitted by Mr & Mrs Telfer, for a conservatory to the rear of the property.

Officers reported a correction to the last sentence of paragraph 1.1. so that it read, "The proposed conservatory measures 3m x 3m in footprint and 2.9m in height to the ridge".

RESOLVED: That the application be approved, subject to the conditions listed in the report.<sup>1</sup>

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the amenity and living conditions of adjacent occupiers and the openness of the Green Belt . As such the proposal complies with Policies GP1, H7 and GB4 of the City of York Local Plan Deposit Draft.

Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

**69f St Olave's School, Queen Anne's Road, York YO30 7AA (07/01775/FUL)**

Members considered a full application, submitted by The Bursar, for the erection of a footbridge over an existing public footpath on land adjacent to St Olave's Prep School (resubmission).

Officers clarified that the application was identical to the previous scheme, which had been refused, although additional information had been submitted regarding the lighting, to address concerns regarding light spillage. They reported that 3 additional letters of objection had been received and outlined the issues they contained. They also advised that condition 2 needed to be updated to make reference to the most recent plans and that a further condition was required requiring the submission of lighting details for approval.

Representations were received in objection to the application and in support of the application, from the applicant's architect. The speaker in objection circulated photographs of the site for Members' consideration. Representations were also received from Cllr David Scott and Cllr Ken King, Clifton Ward Councillors, in support of the application and in objection to the application respectively.

Members expressed a number of concerns about the application, including its impact on the conservation area and the impact of the lighting on the open character and appearance of the area.

RESOLVED: That the application be refused.<sup>1</sup>

- REASON: (i) The proposed footbridge will have an adverse impact on the character of the Clifton Conservation Area. This is by virtue of its poor design and appearance and general visual presence which will enclose views along the public footpath over which the footbridge would span. This will have an adverse impact on the rural setting and generally open character of the Conservation area at this point and as a consequence would have an adverse impact on views both into and out of the Conservation area. The loss of two trees within the grounds of St. Peter's School which further contribute to the character of the Conservation Area will also affect the setting and character of the area. The proposal is therefore considered contrary to advice and guidance in PPG15 (Planning and the Historic Environment) and to Policies HE2 (Development in Historic Locations) and HE3 (Conservation areas) of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.
- (ii) The additional levels of lighting will have an adverse impact on the generally open character and appearance of the area by virtue of increased levels of lighting in the area. This is considered contrary to Policies GP1 (Design) part f and HE2 (Development in Historic Locations) of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

Action Required

- 1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

**69g 63 Willow Glade, Huntington, York YO32 9NJ (07/02453/FUL)**

Members considered a full application, submitted by Mr E Flint and Miss S Smith, for the variation of condition 4 of consent ref: 03/03705/FUL to allow the annex and curtilage to be occupied independently of 63 Willow Glade (retrospective) (resubmission).

The case officer reported that the Highways Officer had no safety concerns regarding the position of the parking space.

Representations were received in objection to the application, from a neighbouring resident, and in support of the application, from the applicant.

Members expressed the view that the building was unsuitable for occupation independently of the host property, owing to its relationship and juxtaposition to that property and the lack of private amenity space.

RESOLVED: That the application be refused.<sup>1</sup>

REASON: It is considered that the building, by virtue of its relationship and juxtaposition to the host property, and by virtue of the lack of private amenity space, is unsuitable for occupation independently of 63 Willow Glade.

Action Required

1 To issue the decision notice and include on the weekly JB planning decision list within agreed timescales.

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 4.35 pm].