
Meeting	Area Planning Sub-Committee
Date	3 November 2016
Present	Councillors Galvin (Chair), Craghill, Gillies, Hunter, Cannon, Flinders, Mercer, Orrell, Funnell (Substitute for Councillor Shepherd) and Dew (Substitute for Councillor Carr)
Apologies	Councillors Carr, Looker and Shepherd

Site	Visited by	Reason
128 Acomb Road	Councillors Cannon, Dew, Flinders, Galvin, Gillies, Mercer and Orrell	As the recommendation was to approve and objections had been received.
Hull Road Bowling Green, Alcuin Avenue	Councillors Cannon, Dew, Flinders, Galvin, Gillies, Mercer and Orrell	As the recommendation was to approve and an objection had been received.
Land to the Rear of 9-11 Tadcaster Road, Copmanthorpe	Councillors Cannon, Dew, Flinders, Galvin, Gillies, Mercer and Orrell	As the recommendation was to approve and objections had been received.

23. Declarations of Interest

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

24. Minutes

It was reported that a request for a correction to the minutes had been received by email since the last meeting. The request referred to Minute Item 22a) Rowntree Wharf, Navigation Road, York where one of the public speakers, Dr Diane Lister was recorded as saying:

“who expressed concern over the validity of the application and the fact that an additional 90 documents had been uploaded to the planning portal since the application was validated. She requested that the Committee reject or defer the application”.

In her emailed request, Dr Lister stated that did not say 'an additional 90 documents had been uploaded to the planning portal since the application was validated', but that *'Since May 2016 approximately 90 documents have been submitted to the planning portal about the car park, external works and the current residential corridors, including drawings for studio flats at the end of floors 2, 3 and 4'*.

Resolved: That the minutes of the last Area Planning Sub Committee held on 6 October 2016 be approved and then signed by the Chair as a correct record subject to the suggested amendment.

25. Public Participation

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

26. 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.

26a) 12 Water End York YO30 6LP (15/00405/FUL)

Members considered a full application by Z Collinson for the erection of a dwelling.

In their update to Members, it was suggested that if Members were minded to grant permission, that approval be delegated to Officers as a revised drawing was to be submitted removing the basement area because of concerns over flood risk.

Two speakers had registered in objection to the application:

Alison Dewhirst spoke on behalf of some residents on Water End. She expressed concerns over the modern design of the proposed building, and felt it was contrary to previous planning decisions in the area, and adversely affected the conservation area. If Members were minded to approve the application, she requested that a condition for low level lighting be added.

Andrew Beattie on behalf of John Burrill Homes, shared his concerns with Members about access onto the site, which was not owned by the applicant. He stated how this access did not include a turning circle. He questioned how construction traffic would enter and exit and mentioned how the public footway would be obstructed. The only access on to the site would be through the Almshouses. He requested a condition to withdraw Permitted Development rights, if Members approved the application.

One speaker had registered in support of the application:

John Howlett the agent, informed Members how the adjacent listed almshouses would not be adversely affected due to the difference in levels between the plot on which the building was located. He added that provision had been made for replacement parking and that the building was within a sustainable location. Regarding maintenance of the access during the construction of the property, the Committee was informed that a Construction Management Plan would be put in place.

Members were advised that Permitted Development rights included external alterations, including rooflights. A Construction Management Plan would also be limited in its extent due to existing access problems encountered on site.

Members entered into debate, during which it was suggested that the permission should include a construction management plan covering access to the site. It was agreed to delegate the final approval of the wording of the additional condition to the Chair and Vice Chair.

Resolved: That authority be delegated to the Chair and Vice Chair, in conjunction with Officers, to approve the application.

Reason: The application would contribute to the provision of much-needed housing in the city. It would cause no harm to the Clifton Conservation Area and the listed buildings at Water End. The impact on archaeology can be mitigated through the recommended conditions. The proposal is acceptable in all other respects and complies with national planning policy in the National Planning Policy Framework and relevant policies of the 2005 City of York Local Plan.

26b) 128 Acomb Road, York, YO24 4HA (16/00680/FULM)

Members considered a full major application by Charles Adam Development Ltd for the erection of one two-storey building containing 2 flats following the demolition of an existing garage, and the conversion of an existing guest house/large house in multiple occupation into 8 flats with associated car parking, cycle and bin storage, and a first and second floor extension to the rear elevation.

It was reported that there had been one speaker and a Member of Council had registered to speak in objection:

Dr Sally Guthrie, spoke on behalf of the residents at Braeside Gardens. She highlighted concerns over drainage, parking and access. In respect of drainage, she stated that residents on the west side of Braeside Gardens had encountered problems with overflowing drains and foul water. Regarding parking, she informed the committee that pavement parking in the street had been obstructive. She was also concerned about access for emergency vehicles to the NHS building.

Councillor Derbyshire spoke as the Ward Member, and echoed the comments made by Dr Guthrie. She added that vehicles obstructed the footpath which hindered the path of residents with mobility problems. There was not sufficient parking for residents or their visitors. The Internal Drainage Board had also endorsed residents concerns. She felt that the proposal constituted overdevelopment and overmassing.

In response to Members questions, Officers stated that it was usual if a response had not been received back from Yorkshire Water within 21 days of the consultation letter then it was assumed that they had no comments to make.

It was reported that if the drains discharged into a Yorkshire Water sewer, the developer would need permission from them to access their drains. There would also need to be a written agreement between the applicant and Yorkshire Water. It was clarified that the Council remained as the Lead Local Flood Authority and that site drainage was also covered under the Building Regulations.

Members entered into debate during which the following views and points were expressed;

- There were few car parking spaces offered for the flats
- The redevelopment of the main house was welcomed, particularly for additional accommodation.
- The current parking situation in the area would worsen, as the application site is located on a narrow street.
- There was no residents only parking in the area.
- The housing crisis necessitated further accommodation in the city.

Councillor Cannon moved and Councillor Orrell second refusal on the grounds of overdevelopment.

On being put to the vote, this motion fell.

Councillor Gillies moved and Councillor Flinders seconded approval.

Resolved: That the application be approved subject to the conditions listed in the Officer's report.

Reason: The proposal would provide homes within a sustainable and accessible location. On balance, the proposal complies with the policies of the NPPF and draft Local Plan policies GP1, GP10 and H4A.

**26c) Hull Road Bowling Green, Alcuin Avenue, York
(16/01256/GRG3)**

Members considered a general regulations (Reg 3) application by City of York Council for the erection of 4 temporary modular buildings to provide cafe and community space.

It was reported that there had been two registrations to speak in support.

Dave Meigh, on behalf of the applicant informed Members how the proposal would be part of an ongoing regeneration plan of Hull Road park and would allow for bowls to be played in all weathers. Conversion of the pavilion had been considered but this had been rejected due to its size. The buildings would be painted grey and blue due to the city's park colour coding scheme.

Councillor Neil Barnes, the Ward Member expressed his support for the scheme and informed Members about the long held aspiration to regenerate the park. He informed the Committee that the application had emerged as a result of co-operative working, York Cares had planted trees on the approaches and the community café would be run by the Friends of Hull Road Park.

Resolved: That the application be approved subject to the conditions listed in the Officer's report.

Reason: The development would provide community facilities and a cafe which would be of benefit to the local community and encourage more users of the park. It is considered that the temporary harm is outweighed by the application's public benefits of providing community facilities and by the fact that it would be in place for a limited period of four years.

26d) Land to Rear of 9 - 11 Tadcaster Road, Copmanthorpe, York (16/01673/FUL)

Members considered a full application by Mr Andrew Piatt for the erection of 4 dwellings with detached garages (triple garage to serve 11 Tadcaster Road) and associated works including a new driveway.

Officers suggested that if Members were minded to approve the application that amendments be made to the condition in respect of the approved plans and the condition relating to the detail of the trees, hedges and shrubs. Officers detailed two further representations had been received since the publication of the agenda:

- The resident at 15 Tadcaster Road having initially objected to the proposals has read the committee report and no longer has any concerns about the scheme.
- An additional objection has been received from one of the residents who has previously responded. This raises no new issues.

Anne White a local resident had registered to speak in objection. She felt that the proposal would overshadow the properties to the east of the site. She commented that residents were given a limited amount of time to respond and that a number of documents relating to the application were not visible for residents. The application did also not comply with the Copmanthorpe Village Design Statement .

Resolved: That the application be approved subject to the following amended conditions;

Condition 2 was amended to include the following revised drawing-

Site plan 1452-100E

4 Trees, hedges and shrubs shown to be retained on plan 1452-100 Rev.B shall be protected during the development of the site by the following measures:-

- (i) A chestnut pale or similar fence not less than 1.2 metres high shall be erected at a distance of not less than 4.5 metres from any trunk; **or, where that distance is not possible, a plan of the proposed location of the protective fencing shall be submitted to and approved by the Local Planning Authority prior to works commencing.**
- (ii) No development (including the erection of site huts) shall take place within the crown spread of the trees;
- (iii) No materials (including fuel or spoil) shall be stored within the crown spread of the trees;
- (iv) No burning of materials shall take place within three metres of the crown spread of any tree;

- (v) No services shall be routed under the crown spread of any tree without the express written permission of the Local Planning Authority.

Reason: In order to safeguard the existing landscape features of the site.

Reason: It is considered that the scheme provides an appropriate use for a currently under-utilised area of garden.

The proposed dwellings are appropriately designed for this village location with an acceptable density of development between the large properties on Tadcaster Road and the more modest development on Barbers Drive. The scheme will provide good levels of amenity for future residents while having little significant impact on neighbouring residential amenity. The application is considered to be in accordance with policies GP1, GP10 and H4a of the draft Development Control Local Plan and the relevant policies of the NPPF.

Councillor J Galvin, Chair

[The meeting started at 4.30 pm and finished at 5.45 pm].