

COMMITTEE UPDATE

PLANNING SUB- COMMITTEE – THURSDAY 5TH SEPTEMBER 2019

19/00557/FUL No. 2 St Aubyns Place, application for a replacement dwelling

Further objections

Since publication of the officer's report, three further objections have been received from neighbours who have previously commented on the application.

In summary, the following issues have been raised:

- A need for Committee Members to view the site from the wider area including from Trentholme Drive;
- Objections to the proposed design and that previous reasons for refusal still apply;
- Objection to the loss of the bungalow;
- A need for the materials to match those in St Aubyns Place;
- Disagreement to some of the content of the supporting documents in the application;
- Concerns that the building will not be a family home but an annex for the hotel;
- That there are no wider public benefits which are required by the NPPF;
- That construction vehicles will necessarily block the street and park on the grass verge and this should be prevented by condition;
- General complaint that the local planning authority has worked with the architect to provide advice/seek amendments to the design.

Equalities Act 2010

At the site visit officers were asked to comment about the need to close the footpath (s) parallel to the front boundary of the property and / or the footpath on Tadcaster Road/The Mount immediately to the east of the property during construction works and whether consideration had been given to the requirements of the Equalities Act in terms of maintaining appropriate access on the public highway.

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

Protected characteristics include Age, Disability, Pregnancy and Maternity. The loss or closure of a footpath may impact on those sharing these characteristics.

The application is for the demolition and erection of a replacement dwelling at No.2 St Aubyns Place. The site boundary does not include these footpaths, and no proposals have been made by the applicant to store materials on the grass verge nor to close these footpaths. However an alternative footpath exists on the west side of The Mount/Tadcaster Road as it crosses St Aubyns Place which is wide and benefits from dropped curbs and tactile paving. It would appear that this would offer an equally commodious alternative footpath should the footpath adjacent to the site boundary be temporarily taken out of use. As such there is no unacceptable equalities impact.

These areas of land are adopted public highway. Should it be found that the applicant is not able to store materials and not undertake all construction works within the site boundaries, as per the standard informative (3) in the report, the applicant would need to apply for a license to do so from the highways department of the Council. At that stage, consideration would be given to the impact on nearby residents, including any less mobile people, including from, for example, any nearby care home.