

NETHER POPPLETON PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL PLANNING MEETING HELD IN THE
POPPLETON CENTRE, UPPER POPPLETON, AT 7.00 PM ON MONDAY, 16 AUGUST
2021

PRESENT: - Cllrs. E M Jones (Chairman), S P Barry, R A Harper, J A Hook, C J Lamb, P H F Powell and C D Steward. Also in attendance were 2 members of the public and the Clerk, Mr B J W Mackman.

21/212 - TO RECEIVE DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (NOT PREVIOUSLY DECLARED) ON ANY MATTERS OF BUSINESS

None

21/213 - PUBLIC PARTICIPATION

Mr & Mrs Bollands addressed the Parish Council.

21/214 - TO RECEIVE APOLOGIES FOR ABSENCE GIVEN IN ADVANCE OF THE MEETING

None.

21/215 - TO CONSIDER THE APPROVAL OF REASONS GIVEN FOR ABSENCE

None.

21/216 - TO CONFIRM THE MINUTES OF THE PLANNING MEETING HELD ON 19 JULY 2021

The minutes of the Parish Council Planning meeting held on 19 July 2021, having been circulated prior to the meeting, were approved and signed.

**21/217 – TO CONSIDER THE FOLLOWING PLANNING APPLICATIONS
GENERIC NOTES ON NPPC RESPONSES**

- A We support the application
- B We have no objections
- C We do not object but wish to make comments or seek safeguards
- D We object on planning grounds

(a) To consider the following Planning Applications

- **Ref: 20/01575/FUL - One and two-storey rear extensions to dwelling, single storey rear extension and alterations to garage, including part demolition of side projection (revised resubmission) at Town Farmhouse, 25 Church Lane.**

The Parish Council decision on the garage extension is D.

The house although not listed is in the centre of the Conservation Area.

The house was built before 1850 and therefore awarded a level of protection through conservation criteria.

The planning considerations are that this development to extend the garage into living quarters is too large in a conservation area.

CYC previously commented on such extensions in the conservation area Quote “*very limited development rights in a Conservation Area to prevent any independent units*” ref 14/00208/FUL. It is further felt that building and planning regulations and the requirements of the Nether Poppleton Conservation area are not satisfied. *This has previously been emphasised by HM Planning Inspector ref (App/C2741/A/01/1058121 and App/C2741/A/01 1057656) it was noted that the special relationship of the village with the river, whereby the frontage development is backed by long gardens running down to the river’s edge is a key characteristic of the Conservation area and the Conservation Area is of paramount importance.*

It is recommended by the Parish Council that an urgent site visit is in place before a decision is made from the desk research.

- **Ref: 20/01575/FUL - One and two storey rear extensions to dwelling, single storey rear extension and alterations to garage, including part demolition of side projection (revised scheme) at 25 Church Lane.**

The Parish Council decision was D

The following considerations, both material and historical, should be considered with the application for the extension to the main property and the proposed extension to the garage/barn section of the property.

1. Although not listed the original property was built before 1850 and is in a Conservation Area. The property should therefore be afforded some formal protection.
2. The property has many internal features which, if listed, would not be able to be altered as they represent the historic significance of the property: the dairy room in particular has the original steps.
3. The proposed flat roof extension is less intrusive than the previous iteration of the plan. It is, however, not in keeping with the rear of the property and others which are listed within 50m of Greystones, 36 Church Lane.
4. There are serious concerns about the proposed building extension being so close to buildings adjacent to Town Farm, 27 Church Lane, as the foundations will have to take the weight on the new build, on both sides of the site.
5. The distance of the walls between the property at 25 and Town Farm is less than 4 cm. It is not possible to put a hand between the two buildings. Therefore the proposed extension to the garage/barn beyond the present foundations has the potential to cause serious structural damage to the property at 27 Church Lane.
6. The above foundations form part of a party wall which will not allow inspection of any wall or water invasion now or in the future.
7. Church Lane slopes quite noticeably towards number 27 Church Lane and this elevation is not clear in the drawings that have been submitted. There is, therefore, a concern by the Councillors that water ingress to the adjacent property must be avoided by the correct building processes being taken seriously. Damage could take a time to show, for example the impact of subsidence, and could therefore be detrimental to both properties in the future.
8. There is a significant height difference in the soil levels between 25 and 27 Church Lane which has been created in the past by soil from the excavation of a swimming pool being banked against the wall of 27 Church Lane. This means that digging for foundations for the new extension will have to be greater than the normal level to get beyond the spoil heap that is there at present. There is no mention of this in any part of the plan
9. The owners of 27 Church Lane have concerns that subsequent subsidence created by careless foundations and property building supervision by the City of York Planners will have a detrimental effect on the value of their disabled premises which they require.
10. Overall, the Parish Council recognises that 25 Church Lane is a desirable property and the owners want to have a status home that reflects modern living styles. To this end the actual house extensions do allow for a substantial extension to the general living area. The evidence of several dining areas is interesting.
11. The major concerns of the Parish Council relate to the garage/barn extension and proposed development. The roof height last time was a major concern and this has been modified. However, the levels and interaction of the foundations is of major concern and some insurance by the owners of 25 Church Lane to cover any immediate or time limited future subsidence or structural damage must be taken.
12. The type of double walling inside the garage which pretends to be a storage garage suggests that there is the potential for this to become a separate living area.

- **Ref: 21/01177/FUL – Two-storey and first floor side extension at 47 Allerton Drive. (Second Revised plans)**

The Parish Council decision on the revised application was D.

This proposed extension is creating a physical barrier to light and amenity and is within approximately 3 metres of the existing sunroom extension on 29 Midway Avenue which has been in existence since 1972.

The proposal of the double-storey extension on the present garage in contra to decision expressed by the City Council on the proximity and overbearing nature of two-storey extension which are not parallel to the neighbours but at right angles to the property.

City Council Planners noted on a similar extension between properties in Nether Poppleton reference (20/02044/FUL) Delegated Report/Development Management Office Report dated 1st February 2021: *“The side extension would be between 1m and 2m from the boundary with the rear of the house at No. 8 Ebor Way. No 8 has a conservatory that faces this boundary at a distance of about 2.5m, so the overall distance from the conservatory to the 2-storey extension would, on average, be about 4m. Such close proximity would normally have an unacceptable impact on the occupiers of the adjacent house.”*

The Parish Council considers that the ruling of unacceptable impact is the same factor in this instance.

Furthermore from the Local Plan

Development Control Local Plan (Apr 2005) Chapter 7: Housing/H7 Residential Extensions: *“Planning permission will be granted for residential extensions where: b) the design and scale are appropriate in relation to the main building; and d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and e) proposals respect the spaces between dwellings.”*

Also confirms that the proposed extension does not respect this policy.

This proposed extension should therefore be refused planning grounds.

- **Ref: 21/01398//FUL – Single-storey rear extension at 57 Hillcrest Avenue.**

The Parish Council decision was D .

This is within the Conservation Area of Nether Poppleton.

This is considered as over-development and contra to planning policies of the City of York Chapter 7: Housing/H7 Residential Extensions: *“Planning permission will be granted for residential extensions where: b) the design and scale are appropriate in relation to the main building; and d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and e) proposals respect the spaces between dwellings.”*

Council.

- **Ref: 21/01648/FUL – Single-storey rear extension after demolition of existing conservatory and raise roof height and make alterations to existing garage at Craigiera, 3 Hallgarth Close.**

The Parish Council decision was B

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The Parish Council decision was B

- **Ref: 21/01754/FUL - Erection of paladin fence with 1no. vehicular and 1no. pedestrian access gate at Ebor Claims Services Ltd, Office 1 First Floor, Westminster Business Centre, 10 Great North Way.**

The Parish Council decision was D.

It was considered that the fencing was out of keeping as a frontage on the Business Park and would refer to the previous refusal by the City Council for a similar situation on the Business Park in

2020 which the council refused.

- **Ref: 21/01776/ADV - Display of 1no. internally illuminated totem sign, 3no. internally illuminated fascia signs, 1no. non illuminated free-standing direction sign, and 1no. fence mounted directional sign at Batchelors of York Limited, Unit 6 Hudson Court, Great North Way.**

The Parish Council decision was B

(b) To note Local Authority Planning Decisions

It was noted that the Local Planning Authority had approved the following applications: -

- Ref: 21/01138/FUL - Conversion of garage to living accommodation at 19 Foss Walk.
- Ref: 21/01218/TPO - Tree works to 2no. Sycamore trees protected by Tree Preservation Order no. 14/1996 - crown lift to 6m, reduce crown away from adjacent property to give 2-3m clearance, crown thin by 20% at 3 Fox Garth.
- Ref: 21/01333/FUL – Single-storey rear extension at 3 Nursery Road.
- Ref 21/01426/TPO - Fell 1no. Cedar tree protected by Tree Preservation Order no. 1/1970 at St Everilda’s Church, Church Lane.
- Ref: 21/01449/FUL – First floor side extension at 62 Millfield Gardens.
- Ref 21/01591/TCA- Crown reduce height of Eucalyptus by up to 2.5m, crown reduce spread by up to 1m - tree works in a Conservation Area at 5 Church Lane.
- Ref: 21/01624/TCA - Crown reduce Beech tree by 30% - tree works in a Conservation Area at Sandham House, Main Street.

It was noted that the Local Planning Authority had refused the following application: -

- Ref: 21/01476/TPO - Fell Monkey Puzzle tree protected by Tree Preservation Order no. CYC9 at 23 Nursery Road.

It was noted that the following application had been withdrawn: -

- Ref: 21/00778/FUL - Subdivision of single dwelling into two dwellings, creation of door and window openings to front at Saxe Dane Lodge, 22 Main Street.

21/218 – TO RECEIVE A REPORT FROM THE LISTED BUILDINGS WORKING GROUP

Cllr Harper reported that work is progressing on the project and a further meeting will be arranged in August/September.

21/219 - TO NOTE CORRESPONDENCE

It was noted that Pre-Planning Consultation letters had been received from W H P Telecoms Ltd and Clarke-Telecom with regards to the erection of two G5 telecommunication masts. One is to be in addition the mast already present down Broad Lane. The second is to be on the York Business Park Estate. Given that Cllrs. Hook and Jones attended a City Council Planning meeting with regard to a similar mast on Millfield Lane and the subsequent response, it was agreed that no further action was required.

21/220 - TO AGREE THE DATE OF THE NEXT MEETING AS MONDAY 20 SEPTEMBER 2021

It was agreed that the next meeting would be held at 7.00pm in the Poppleton Centre on Monday 20 September 2021.

Chairman.....

Date.....

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