
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	7 AUGUST 2008
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, HYMAN, KING, ORRELL, TAYLOR AND WISEMAN
APOLOGIES	COUNCILLORS

24. 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 Moore declared a personal prejudicial interest in agenda item 4c (Rawcliffe County Infant School, Eastholme Drive, York) as he was a Governor of the school for 4 years until he stepped down 3 months ago. He addressed the Sub-Committee from the floor, then left the room and took no further part in the discussion or decision on this item.

25. MINUTES

RESOLVED: That the minutes of the meeting of the Sub-Committee held on Thursday 10 July 2008 be approved as a correct record and be signed by the Chair.

26. 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.

27. 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.

28. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Straylands Day Nursery, Fairfield, Malton Road, York	Cllrs Hyman, Firth, Moore and Wiseman	As objections had been received and the officer recommendation was to approve.
2 Eastfield Avenue, Haxby, York	Cllrs Hyman, Firth, Moore and Wiseman	As objections had been received and the officer recommendation was to approve.

28a Yortec Ltd, 58 Layerthorpe, York, YO31 7YW. (08/00823/FULM)

Members considered a major full application submitted by Mr. Tim Marks, for the change of use from Class B2 (general industry) to Class A1 (retail) limited by condition to the sale of bulky goods, amended car-parking layout, cycle parking and external alterations.

In answer to questions, Officers confirmed that the hours of use for the site could be agreed and added as a condition. They confirmed that City Strategy were satisfied with the Sequential Test carried out for the site in which reasons for discounting alternative sites, including the nearby Foss Islands Road retail development were given.

Representations in support of the application, were received from the applicant's Agent. He stated that the site had been empty for 4 years and in that time it had been marketed satisfactorily as a B2 (general industry) site but had failed to attract an end user. He confirmed that there would be no access for the public through the car park to the rear of the building and subsequently into nearby streets. He advised that no opening hours for the site had been agreed as an end user had yet to be found, but anticipated opening hours would be similar to neighbouring retail outlets.

RESOLVED That the application be approved subject to the conditions listed in the report and the following additional condition:

That the hours of opening to be agreed prior to the occupation of the retail unit.

REASON In the opinion of the Local Planning Authority the proposal subject to the conditions listed in the Officers report and the additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the loss of an employment site, the creation of a retail unit, the impact on the local highway network, and design. As such the proposal complies with Policies GP1, GP4a, E3b, S2, T4 and SP7a of the City of York Draft Local Plan.

**28b Straylands Day Nursery, Fairfield, Malton Road, Heworth, York.
(08/00760/FUL)**

Consideration was given to a variation of condition 5 planning permission (05/02251/FUL) to allow 26 children to attend Straylands Day Nursery.

Members expressed concern that the Nursery had applied for 26 Children in 2005 but had reduced this number to 22. Members queried why this happened and what had changed since the last application for the Nursery to re-apply to increase the number of children to 26.

In response to Members questions, Officers stated that since Straylands Day Nursery last applied to increase the number of children attending the establishment the proprietors had installed sound insulation. City of York Councils Environmental Protection Unit has received no further complaints from local residents regarding noise. Officers confirmed that the current Ofsted certificate for the premises states that 26 children should be the maximum number in attendance at any one time.

Members who had been in attendance at the site visit expressed concerns that the Nursery had limited space especially in the rooms that were used by toddlers and pre school children. They also questioned whether the request for extra places to be made available was viable, as the nursery was not at capacity for some of the age groups. Members also stated that the car parking provision was inadequate for the numbers already in attendance at the Nursery and the situation should not be exacerbated with potentially 4 more parents dropping off and picking up.

RESOLVED That the application be refused.

REASON It is considered that the proposed development would harm the living conditions which neighbours could reasonably expect to enjoy. The vehicle movements associated with the proposed development combined with intensification in use of the site would harm neighbouring amenity and unreasonable increase the potential for disruption and disturbance in the local area. Therefore the proposed development is considered contrary to policy C7 'Childrens Nurseries' part c) of the City of York Local Plan.

**28c Rawcliffe County Infant School, Eastholme Drive, York, YO30 5TA.
(08/01507/GRG3)**

Members considered an application to replace an existing temporary structure with a new temporary modular unit including adjacent play area with a canopy over.

Councillor Moore, as Ward Member spoke from the floor. He stated that although the application was for a temporary unit, he was optimistic the school would receive funding in the near future to redevelop the whole school site and that this would only be a temporary measure. Therefore he was happy to support the application. He then left the room and took no further part in the discussion or debate.

Members expressed concern at the school applying for another temporary building and that it would be preferable that the redevelopment of the site went ahead as soon as possible.

Members expressed their unanimous support for the proposal, and said that while a temporary building was not ideal and accepted that the school required a temporary solution to the lack of space.

RESOLVED That the application be approved.

REASON In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance with particular reference to the impact on the character and appearance of the area and the amenity and living conditions of neighbours. As such the proposal complies with Policy GP23 of the City of York Draft Local Plan.

28d 2 Eastfield Avenue, Haxby, York, YO32 3EY (08/01346/FUL)

Members considered a full application, submitted by Mr. Andrew Fallow for a pair of semi-detached pitched roof dwellings, after demolition of an existing detached bungalow.

Officers updated that 20 letters of representation had been received, 19 in objection to the application and 1 in support. None of the letters supported this revised application. It was also confirmed that the development was unlikely to have any impact on bats or newts and that a condition had been included that satisfactorily addressed their protection during demolition and construction.

Representations in objection to the application were received from a local resident. She stated that the proposed development would be out of character with the area as it was significantly higher than neighbouring properties. She felt that existing traffic problems could be made worse if two further properties are created.

Representations in support of the application were received from the Applicant who stated that he had worked in consultation with City of York Council Planning Officers for some time and that the application represented an honest attempt to develop the site. He felt that neighbours objections regarding the height and style of the proposed building were unfounded. He stated that the new dwellings would only be very slightly taller than the neighbouring property. In response to neighbours concerns

about parking, the applicant advised that each house would have 3 parking spaces which is in excess of government and local guidelines.

Members questioned if the application would affect drainage in the area as one dwelling would be replaced by two. Officers confirmed that the base area covered by the new building would be less than the original bungalow and would not adversely affect drainage.

RESOLVED: That the application be approved subject to the conditions listed in the report and the following amended condition:
Condition 10: To achieve a minimum of “very good” under Code for Sustainable Homes.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene, highway safety, impact on local amenity and the living conditions and wildlife protection. As such the proposal complies with Policies GP1, GP4a, H4a, GP7, GP9, GP10 and NE6 of the City of York Local Plan Deposit Draft.

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 3.15 pm].