

MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	11 DECEMBER 2008
PRESENT	COUNCILLORS HYMAN (CHAIR), GREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, KING, MOORE, ORRELL, TAYLOR AND WISEMAN

**INSPECTION OF SITES**

Site	Attended by	Reason for Visit
25 Shipton Road	Cllrs. Hyman, Douglas, King and Moore	In view of objections received and to familiarise Members with the site and access.
1 The Meadows	Cllrs. Hyman and Moore	In view of objection received when recommendation is to approve.
Oak Lane Haxby – Telecom Pole	Cllrs. Hyman, Moore and Orrell	In view of objections received and to familiarise Members with the site
Hope Cottage	Cllrs. Hyman and Moore	In view of objections received when recommendation is to approve.

**1. DECLARATIONS OF INTEREST**

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

Councillor Firth declared a personal non-prejudicial interest in item 4c (Telecommunications Pole, Haxby) as he is the Ward Councillor for the area.

Councillor King declared a personal non-prejudicial interest in item 4a (25 Shipton Road) as he is Ward Councillor for the area.

Councillor Douglas declared a personal non-prejudicial interest in item 4a (25 Shipton Road) as she is Ward Councillor for the area.

## **2. MINUTES**

RESOLVED: That the minutes of the meetings of the Sub-Committee held on the 9 October 2008 and 6 November 2008 be approved as a correct record and be signed by the Chair.

## **3. PUBLIC PARTICIPATION**

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

## **4. 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.

### **4a 25 Shipton Road, Clifton, York, YO30 5RE (08/00311/FUL)**

Members considered a full application which seeks planning permission for the erection of a single storey detached dwelling to the rear of 25 Shipton Road.

The application site forms part of the side and rear garden area of 25 Shipton Road which is a Grade 2 Listed Building. To the south west of the site is Clifton Ings leading down to the River Ouse. A planning application for a two storey dwelling to the rear of 25 Shipton Road was refused at Planning Committee on 14 November 2003 on the grounds that the proposal would be detrimental to the character and appearance of the Conservation Area and the Listed Building.

Officers reported the receipt of additional information:

- Photomontages produced by the applicant.
- Comments received from Clifton Parish Council in objection to the application.
- Further letters of objection from neighbouring residents
- A sustainability statement had been submitted by the Agent in accordance with Policy GP4 of the City of York Draft Local Plan.
- It was confirmed the dwelling is in flood zone 2 which is in compliance with York Strategic Flood Risk Assessment.
- Officers pointed out that there is an error within the Committee report at paragraph 3.2 which should read Clifton Planning Panel and not Clifton Parish Council.

Representations in objection to the application were received from the residents of neighbouring properties. The first objected to the site being located on a strip of land between the Conservation Area and Green Belt. The second distributed a diagram showing the positioning of the application site and expressed concern that the general area carries a high risk of flooding.

Representations in support of the application were heard from the applicants agent who confirmed that the Environment Agency had been consulted and that during the floods of 2000 the flood bank near to the site was not crossed and the site is a metre above the levels of the last severe floods in 2000.

Members expressed concern regarding the proximity of the application site to the Green Belt and the Conservation Area and the detrimental impact the application would have on the area. Certain members raised concerns regarding the flood risk.

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

REASON: It is considered that the erection of the proposed dwelling in this location would have a significantly detrimental impact on the character, appearance and views into and out of Clifton Conservation Area and detract from the setting of the adjacent Grade II Listed Buildings 21, 23 and 25 Shipton Road. As such the proposal would be contrary to policies GP1 (Design), GP10 (Subdivision of Gardens and Infill Development), HE2 (Development in Historic Locations) and HE4 (Listed Buildings) of the City of York Council Draft Development Control Local Plan, and Central Government advice contained within Planning Policy Guidance Note 15 "Planning and the Historic Environment".

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

**4b 1 The Meadows, Skelton, York, YO30 1XS (08/02001/OUT)**

Members considered an outline application for the erection of 1no. single storey detached dwelling. The proposed dwelling would sit to the east of the existing house, adjacent to St. Giles Road.

Officers updated that in August 2005 outline planning permission was granted for the erection of a bungalow. No sustainability report had been received for this application and Officers recommend a condition that requires the developer to achieve level 3 under the Code for Sustainable Homes. Officers clarified that due to the lapse of time since the previous

approval this extra condition can be added. Additional conditions regarding drainage should also be added.

Councillor Moore expressed concerns regarding vehicle access from the application site onto the main road due to its position between 2 blind bends. He advised the committee he could not support the Officer's recommendation of approval.

**RESOLVED:** That the application be approved subject to the conditions listed in the report and subject to the following additional and amended conditions.<sup>1</sup>

Condition 10 – Development shall not begin until details of foul and surface water drainage works have been submitted and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason – So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

Condition 11 – Peak surface water run-off from the development shall be attenuated to 70% of the existing rate, in accordance with a scheme to reduce run off to be submitted to and agreed in writing by the Local Planning Authority (based on 140 l/s/ha of connected impermeable areas). The scheme submitted shall include storage volume calculations, using computer modelling, allowing for a 1:30 year storm with no surface flooding along with no internal flooding of buildings or surface run-off from the site in a 1:100 year storm. Proposed areas within the model shall also include an additional 20% allowance for climate change. The modelling shall use a range of storm durations, with both summer and winter profiles, to find the worst case volume required. Details of run off rates including calculations of both the existing and proposed rates shall also be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason – In the interests of sustainable drainage and to comply with guidance contained within Planning Policy Statement 25 (Development and Flood Risk).

Condition 12 – The first reserved matters application submitted in pursuance of this outline planning permission shall be accompanied by an initial Code for Sustainable Homes (CSH) Design Stage assessment for the development. This shall indicate that at least a CSH level 3 star rating shall be achieved. This shall be

followed by the submission of a Code for Sustainable Homes Final Certificate (issued at post construction stage) which shall be submitted to the Local Planning Authority after completion and before first occupation of the building, and shall confirm that at least the minimum code level 3 star was achieved as indicated in the initial CSH Design Stage assessment. If the dwelling has not achieved the required standard, details of the changes to be made to the development to bring the dwelling up to the standard required and a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority.

Reason – In the interests of sustainable development.

REASON: In the opinion of the Local Planning Authority, the proposal subject to the conditions listed in the report and the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Principle of the Proposal
- Visual Impact of the proposed Development
- Highway Safety
- Neighbouring Amenity
- Drainage

As such the proposal complies with Policies GP1, GP4a, GP10, H4a, and L1c of the City of York Draft Local Plan.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

**4c Proposed Telecommunications Pole Fronting 39 Oak Tree Lane, Haxby, York. (08 02441 TCNOT)**

Members considered an application for prior approval for the proposed installation of a 12.2 metre high telecommunications mast with associated equipment.

Officers updated with the following information:

- Highways had confirmed that the width of the footpath would still meet the minimum width of 2metres with the mast in place.
- Councillor Watt had emailed a letter of objection and a further letter of objection had been received from a local resident containing general comments.

- Officers clarified that the recommendation “no objections” is due to the application being for prior approval and the council is only able to object or not object to such an application.

Representations in objection to the mast were received from the Head Teacher of Headlands Primary School, and two local residents. They expressed concerns regarding the wellbeing of school children and people living close to the mast. They felt that there had been insufficient prior consultation with residents and highlighted that there was great concern amongst residents about the location of the mast.

Members expressed disappointment at Vodafones lack of consultation with residents and asked officers if other sites had been considered as the proposed site is in a built up area. Officers confirmed that 15 other sites had been looked at but this one provides the coverage Vodafone require.

Members felt that the telecommunications pole would be visually intrusive in such a prominent area and could not support the proposal.

RESOLVED: Prior approval required and refused.<sup>1</sup>

REASON: The proposed mast by virtue of its appearance and height will represent a dominant and visually intrusive feature in the streetscene which is not considered to be in keeping with the character of the residential area in which it would be located. This is considered contrary to national guidance in PPG8 (Telecommunications) and Policy GP20 of the City of York Draft Local Plan, 4<sup>th</sup> set of changes approved April 2005.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

**4d House Of James, Stamford Bridge Road, Dunnington, York, YO19 5LN (08/00785/FUL)**

Members considered an application for the change of use from Class B8 (Storage and Distribution) to the conversion and customising of cars and light commercial vehicles on land at St. James Business Park. The site has recently been used by the Hauliers, House of James Transport Ltd.

Members commented that although the application site is in the Green Belt, the change of use being applied for on this occasion was suitable for the site.

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

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 openness of the Green Belt, loss of employment, sustainability, highway safety and residential amenity. As such the proposal complies with national planning advice in Planning Policy Guidance Note 2: "Green Belts" and policies GB1, GB3, GB11, E3b, GP1, GP4A of the City of York Draft Local Plan.

Action Required

1. Issue the decision notice and include on the weekly planning decision list within the agreed timescales. SS

**4e Lord Deramores Primary School, School Lane, Heslington, York, YO10 5EE. (02/02386/GRG3)**

Members considered an application for a temporary unit after the demolition of existing units and the removal of a tree at Lord Deramores Primary School. The application seeks permission for the siting of a temporary relocatable building to the south east of the school. Consent is sought for the unit for 3 years and would be used as a pre and after-school accommodation unit.

Officers present representing the school confirmed that the building was required to replace inadequate facilities currently in place.

Members expressed concern over the use of temporary buildings at schools, when permanent structures are needed in the long term.

RESOLVED: That the application be approved subject to the conditions listed in the report and subject to the following additional condition.<sup>1</sup>

Condition 6 – Within one month of the siting of the temporary unit on the site, the existing units shall have been demolished and all building materials, rubble etc removed from the site in its entirety.

Reason – In the interests of the amenity and appearance of the area.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed in the report and the additional condition above, would not cause undue harm to interests of acknowledged importance with particular reference to the impact on the character and appearance of Heslington Conservation Area. As

such the proposal complies with Policies GP1, GP23 and HE3 of the City of York Draft Local Plan.

Action Required

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

SS

K Hyman, Chair

[The meeting started at 2.00 pm and finished at 3.20 pm].