

Meeting	Planning Committee B
Date	16 December 2024
Present	Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter, Coles, Fenton, Melly, Orrell, Vassie and Warters
Officers Present	Gareth Arnold, Development Manager Erik Matthews, Senior Planning Officer Guy Hanson, Design and Conservation Manager Sandra Branigan, Senior Lawyer

43. Apologies for Absence (4.33 pm)

None were received.

44. Declarations of Interest (4.33 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Cullwick noted that he had an interest in Item 5a, Church House, he therefore withdrew from the meeting at the start of that item and took no part in the debate or decision making thereon.

45. Minutes (4.33 pm)

Resolved: That the minutes of the last meeting held on 28 November 2024 were approved as a correct record.

46. Public Participation (4.34 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

47. Plans List (4.34 pm)

Members considered a schedule of reports of the Development Manager, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

48. Church House, 10 - 14 Ogleforth, York, YO1 7JG [24/01140/FUL] (4.58 pm)

Due to amendments to the running order of the agenda, this item was considered last. Members considered a full application for replacement windows throughout (retrospective) by Alexander McCallion.

The Development Manager gave a presentation on the application and confirmed that the revised NPPF included no revisions that were material to the determination of the application.

Public Speakers

Christina Funnell spoke in support of the application, noting the benefits of the thermally efficient windows for the building's occupants. She stated that she did not consider the aesthetics outweighed the cost to the charity of replacement.

Oliver Caroe, the architect for the applicant, spoke in support of the application. He described the existing street scene, stating that the windows had no meaningful bearing on the setting and noting the challenges presented by a low carbon retrofit.

In response to questions from Members he stated that the installed replacement windows, which were made of extruded aluminium, had a similar profile to Crittall windows and that they had compared both options. He stated that, in his opinion, the windows did not harm the building or setting.

Alexander McCallion, the applicant, spoke in support of the application. He highlighted the public benefit relating to their decision to address the climate emergency through the low carbon retrofit, noting the limited resources available to safeguard the future of the Minster.

In response to questions, he stated that the replacement windows were the best available within budget; they had been installed before the condition

had been discharged. He stated that Crittall-style windows were not as efficient and agreed that this was the main difficulty.

The Design and Conservation Manager responded to Members' questions and reported that the Church House was previously an industrial building, with large windows and thin profile frames. Although they could not be exactly replicated and maintain thermal efficiency, there were many replacement alternatives. Officers had not been provided the opportunity to discuss these options with the applicant. The thickness of the frames, that they were white, together with the loss of the slim, moulded profiles, particularly at the ground floor level, were the main areas for concern.

Members were advised that the costs and options for the applicant, should the application be refused, were not a consideration for the planning committee.

Following debate, Cllr Warters moved the officer recommendation to refuse the application. This was seconded by the Chair. On being put to a vote, Members voted two in favour and six against, therefore the motion fell.

Cllr Fenton subsequently proposed approval of the application, given that he did not consider that there was harm caused to the historic assets and conservation setting, and this was seconded by Cllr Baxter. Following a further debate, during which a condition relating to the outward window openings was discussed, a vote was taken and with Members voting six in favour and two against, it was therefore:

Resolved: That the application be delegated to the Development Manager to approve, following an investigation into the need or otherwise for a condition restricting the outward opening of the windows.

Reason: The proposal would not harm the character of the building, the character and appearance of the conservation area and the setting of listed buildings.

49. Garages At Hawthorn Terrace South, New Earswick, York [23/01879/FUL] (4.34 pm)

The Development Manager provided an update to the committee which altered the officer recommendation to defer, this was at the request of the agent for the applicant.

Cllr Cullwick proposed the updated officer recommendation, and this was seconded by Cllr Orrell. Members voted eight in favour and one against the motion and it was therefore:

Resolved: That the application be deferred.

Reason: To allow the applicant more time to present plans for solar energy provision.

**50. 7 Station Road, Haxby, York, YO32 3LS [24/01047/FUL]
(4.37 pm)**

Members considered a full application for the erection of 2no. dwellinghouses to side following demolition of 3no. detached garages.

The Development Manager gave a presentation on the plans for the development and the Senior Planning Officer provided an update to the report which amended the wording of paragraph 5.10 to note that the proposed dwellings were approximately 0.5m closer to the boundary with Usher Lane than the previously approved scheme. There were no material revisions needed following publication of the revised National Planning Policy Framework (NPPF) but draft conditions 8 and 9 would now refer to paragraphs 192-195 of the NPPF. The applicant's agent was unable to attend the meeting, his written statement in support of the application was also included in the update.

In response to questions on the plans, officers confirmed the location of the cycle and bin storage. They also confirmed that the existing boundary wall was 1.5m high. The footprint of the previous application was also compared to the current application via the on-screen presentation to clarify the difference.

The wording of condition 7 was queried by members and it was requested that the word 'solely' be removed so that the storage was not restricted to cycles.

The Development Manager confirmed that heat pumps and solar panels were shown on the plans. There were no policies to ensure compliance with carbon reduction other than those included in the 2013 building regulations. It was noted that a condition relating to policy CC2 should have been in the report and would therefore need to be added.

Following a brief debate, Cllr Fenton proposed the officer recommendation to approve the application, and this was seconded by Cllr Baxter.

Members voted unanimously in favour, and it was therefore:

Resolved: That the application be approved, subject to the amendments included in the update and the inclusion of a condition to cover policy CC2.

Reason: The proposal comprised a revised resubmission of an earlier lapsed scheme for erection of two properties permitted in 1998. The design and layout of the proposal is felt to be acceptable following on from the earlier consent and as amended the proposal is felt to be acceptable in Highway terms. The location of the proposal is sustainable and the proposed drainage arrangements are acceptable. Subject to any permission being appropriately conditioned to secure the required biodiversity net gain the proposal is felt to be acceptable in planning terms and approval is recommended.

[4.53-4.58 pm, the meeting adjourned, and Cllr Cullwick left the meeting].

Cllr Fenton proposed that Cllr Orrell be appointed as Vice-Chair, in the absence of Cllr Cullwick. This was seconded by Cllr Baxter and with agreement from the committee, Cllr Orrell took over as Vice-Chair for the remainder of the meeting.

51. Planning Appeal Performance and Decisions (6.18 pm)

The Development Manager presented a report which provided information on the planning appeal decision determined by the Planning Inspectorate between 01 July and 30 September 2024.

Resolved: That the report be noted.

Reason: To keep members informed of the current position of planning appeals against the council's decisions as determined by the Planning Inspectorate.

Cllr B Burton, Chair

[The meeting started at 4.32 pm and finished at 6.31 pm].

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