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MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	16 APRIL 2009
PRESENT	COUNCILLORS HORTON (CHAIR), SUE GALLOWAY (VICE-CHAIR), CRISP, STEVE GALLOWAY, GALVIN, GILLIES, LOOKER AND REID
APOLOGIES	COUNCILLOR SUNDERLAND

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**65. INSPECTION OF SITES**

The following site was inspected before the meeting.

Site	Attended by	Reason for Visit
First Farm, Main Street, Askham Richard	Councillors Horton, Galvin, Sue Galloway, Gillies and Reid	As an objection has been received and the recommendation is to approve.

**66. 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 Looker declared a personal non prejudicial interest as an occasional customer of the coffee bar on the riverbank, Museum Street.

**67. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the public and press be excluded from the meeting during consideration of Annex A to agenda item 6 on the grounds that it contains information classed as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. This information, if disclosed to the public, would reveal that the authority proposes to give, under any enactment, a notice under or by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment.

**68. MINUTES**

RESOLVED: That the minutes of the meeting held on 19 March 2009 be approved and signed by the Chair.

**69. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

**70. 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.

**70a Temporary Moorings, Museum Street, York (09/00299/FUL)**

Members considered a full application from Mr A Gill seeking planning permission for the retention of a mooring of a floating coffee bar and the associated use of the adjacent riverbank as a waiter serviced seating area.

Members commented that the facility was a welcome addition to the riverside and suggested that it would be beneficial for it to be open on a more regular basis.

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

REASON: 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 of the use on the visual amenity and character of the conservation area and the adjacent listed garden
- the continued use of the riverbank as a café

As such, the proposal complies with Policies HE2, HE3, HE4, HE12, L4, V1, GP15a, GP23 and GP1 of the City of York Development Control Local Plan – Incorporating the Proposed 4<sup>th</sup> Set of Changes; and national planning guidance contained in Planning Policy Statement 1 “Delivering Sustainable Development”, Planning Policy Statement 15 “Planning and the Historic Environment”, and “Planning Policy Guidance Note No. 25 “Development and Flood Risk”.

Action Required

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

**70b First Farm, Main Street, Askham Richard, York, YO23 3PT  
(08/01888/FUL)**

Members considered a full application from Mr R Hnat seeking retrospective planning permission for the conversion and alterations to an outbuilding, including the raising of the ridge height and inserting openings to the side elevation and roof, to provide residential accommodation.

Representations in support were received from the agent for the applicant. He addressed concerns that had been raised in respect of the impact upon the Conservation Area and upon the amenities of neighbouring residents. The agent stated that the proposal was not contrary to the conservation statement and drew attention to the Planning Officer's comments in the conclusion of the report. A sunlight assessment had been submitted with the application and the additional 0.5m would not impact on neighbouring properties other than at midday.

Members expressed concern that the application had been submitted retrospectively.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to neighbours' residential amenity or the character of the conservation area. As such the proposal complies with Policies GP1, HE2 and HE3 of the City of York Development Control Local Plan.

Action Required

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

**71. ENFORCEMENT CASES UPDATE**

Members considered a report which provided them with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee. Officers gave a verbal update in respect of some of the enforcement cases.

Members sought clarification as to the action that was being taken to ensure that the necessary processes had been completed for those trees that had been deemed as warranting Tree Preservation Orders (TPOs). Officers gave details of the action that was being taken to rectify this matter.

RESOLVED: (i) That the report be noted.

REASON: To update Members on the number of outstanding enforcement cases within the Sub-Committee area.

RESOLVED: (ii) That officers take appropriate and timely action to ensure that the necessary processes were completed in respect of those trees that had been identified as warranting TPOs<sup>1</sup>.

REASON: To ensure that robust action can be taken where breaches of TPOs have been identified.

Action Required

1. Officers to take necessary action to complete necessary processes in respect of those TPOs that are still outstanding SS

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 3.40 pm].