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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 JUNE 2010
PRESENT	COUNCILLORS CREGAN (VICE-CHAIR IN THE CHAIR DURING THE CONSIDERATION OF ITEMS 5C, D AND E), DOUGLAS, FIRTH, B WATSON, MOORE(CHAIR DURING THE CONSIDERATION OF ITEMS 5A AND B), ORRELL, TAYLOR, WISEMAN, MORLEY (SUBSTITUTE) AND PIERCE (SUBSTITUTE)
APOLOGIES	COUNCILLORS HYMAN AND FUNNELL

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**INSPECTION OF SITES**

Site	Attended by	Reason for Visit
Hawthorn Terrace South/Ivy Place YO32 4BL/ YO32 4BS	Cllrs. Moore, B Watson, Firth, Morley, Orrell and Wiseman.	To familiarise Members with the site.
Townends Accounts, Harlington House YO10 4HJ	Cllrs Cregan, Moore, B Watson, Firth and Morley.	To familiarise Members with the site.

**1. DECLARATIONS OF INTEREST**

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

Councillor Cregan declared a personal and prejudicial interest in Agenda items 5a) Hawthorn Terrace South and 5b) Ivy Place as the Council's representative on the Joseph Rowntree Housing Trust, who were the applicants of these two items. As a result of this he resigned the position of Chair of the Committee for the consideration of these two items only. He left the room and took no part in the discussion of these items.

Councillor Morley declared a personal and non prejudicial interest in Agenda Item 5c) Townends Accountants, Harlington House, as the Executive Member for Housing and Adult Social Services.

**2. ELECTION OF CHAIR**

RESOLVED: That Councillor Moore be elected as Chair during the consideration of Agenda Items 5a and 5b (Hawthorn Terrace South and Ivy Place).

RESOLVED: That Councillor Cregan remain as Chair during the consideration of Agenda Items 5c), d) and 5e) Harlington House and 3 Westlands Grove.

### **3. MINUTES**

RESOLVED: That the minutes of the meeting of the Sub-Committee held on the 13 May 2010 be approved and signed by the Chair as a correct record.

### **4. PUBLIC PARTICIPATION**

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

Details of speakers on individual applications are detailed under each item.

### **5. PLANS LIST**

#### **5a Hawthorn Terrace South, New Earswick, York, YO32 4BL**

Members considered an application for listed building consent for the installation of replacement white timber double glazed windows at properties (numbers 1-16 inclusive) situated on Hawthorn Terrace South.

Officers circulated a copy of to Members of a New Earswick Conservation Note. (This is attached to the agenda for the meeting under the item.) They explained that they had recommendation refusal because that it was felt that the proposed design of the windows was unsuitable for listed buildings.

Representations were heard from the applicant, the Joseph Rowntree Housing Trust (JRHT), who explained that the scheme to replace the current windows were part of the village's continuous development in line with the social vision of the Trust. He added that the current windows were not original, and had been inserted in the 1970s.

Further representations were heard from another representative of the JRHT who stated that the new design of the windows were proposed because;

- The existing windows were in poor condition
- That all the other properties owned by the Trust have already had work done to improve their energy performance, and that therefore it was necessary to complete this on Hawthorn Terrace South and Ivy Place.
- The new designs respected that double glazing was not preferred by residents, and included wooden frames.
- The ironmongery on the windows was modern and secure.
- It would offer a coherent style to the village, which would contribute to its overall design and not detract from it.

Members asked about the difference between the original design of the windows and the 1970s windows.

The representatives of the JRHT replied that the difference between the originals and those built in the 1970s was that the configuration of opening the sashes were maintained.

Members asked a question to the applicants about the insulation provided by the proposed windows compared with those recommended by the Conservation Officer.

The applicants replied that the heritage glazing recommended by the Conservation Officer was thinner than the proposed glazing, and that this glazing would reduce fuel costs for residents by approximately £150 annually.

Representations in favour of the application were heard from a local resident who lived in Hawthorn Terrace South.

He mentioned how although the existing windows, had a draught strip fixed to them, that they did not keep out the cold or condensation. This meant that the wooden frames were starting to deteriorate. He stated that his heating bills were rising in cost as the windows were single glazed. Further to this he informed the Committee how this had detrimentally affected his and his wife's quality of life. In response to a suggestion in the Officer's report for optional secondary glazing, he felt that this would not keep out the heat and would be difficult to operate for residents.

Further discussion ensued between Members, points raised included;

- It was felt that the proposed design of the windows made them highly noticeable.
- That the thickness of the frames was due to the nature of the hinges.
- The frames were also thick due to all new windows needing a five point locking area.
- That there was a public benefit to the windows and that they did not offer any substantial harm to the character of the buildings.

RESOLVED: That the application be deferred.

REASON: In order to allow for further discussion to take place between the applicant and Officers

## **5b Ivy Place, New Earswick York , YO32 4BS**

Members considered another application for listed building consent for the installation of replacement white timber double glazed windows at numbers 1 to 20(inclusive) at Ivy Place.

The discussion of this item took place at the same time as that of Agenda Item 5a) Hawthorn Terrace South and included the same points and representations as the aforementioned item.

RESOLVED: That the application be deferred.

REASON: In order to allow for further discussion to take place between the applicant and Officers.

**5c Townends Accountants Harlington House 3 Main Street Fulford York, YO10 4HJ**

Members considered an application for the change of use from an office to a residential care home with internal and external alterations, two storey rear extension and dormers to the rear roof slope.

Members were informed by Officers that this application and the following application were called in by the Ward Member, Councillor Aspden, due to impact on the Fulford Conservation Area from possible overdevelopment of the site.

Members were informed by Officers that the main building on the site had been empty since 2009 and that the applicant was the current owner.

Officers also added that if Members, were minded to approve, that an external lighting condition be added to reduce the detrimental impact that this might have on neighbouring properties.

Representations in opposition to the proposal were heard from a group of local residents their concerns included;

- That the outside leisure area provided for users of the care home was very small and was surrounded by car parking and nearby housing without any separation between the two.
- That the access to the care home was narrow and that this would mean that vehicles would have to reverse on to the A19, in order to exit the site.
- That the parking bays were not large enough for the vehicles using the care home.
- That the layout of the application did not conform to planning guidelines on the reduction of the fear of crime.

Councillor Aspden spoke to the Committee as Ward Member and highlighted that the application would have a negative impact on the following issues;

- The Fulford Conservation Area.
- The amenity of local residents
- The level of traffic relating to the change of the building's use.

He added that, if the Committee were minded to approve the application, that a condition be requested for frosted windows on the building and that the entrance to the building be moved to reduce the noise impact from delivery vehicles to nearby properties.

Representations in support of the application were heard from the applicant's agent. He stated how he was happy to answer questions from Members on the change of use to the property and car parking.

He added that he felt that the application would create employment and secure the re use of an old building.

Members asked the applicant's agent about the extent of public consultation organised by the applicants.

The agent replied that the application had gone through pre-application discussion with Officers and that if further consultation was conducted, that similar issues would have arisen that had already been identified and addressed at the pre-application stage.

Members also asked whether the applicant would be willing to wall the boundary area between the site and neighbouring properties.

The agent replied that his clients would consider this.

Members asked Officers about the protection of the yew tree on the site. Officers replied that a condition, if the application was approved, could be added.

Members also commented that perhaps there could have been additional consultation with the police, in reference to Anti Social Behaviour and the fear of crime around the site.

Further questions from Members to Officers included;

- What potential uses of buildings also fell into Use Class C2, which the building was highlighted as being in the Officer's report?
- The issue of fire regulations due to the lack of a lift in the property.

Officers replied that buildings categorised under C2 usage included; hospitals, schools and training centres and secure institutions. They added that planning uses were often grouped together. However, they stated that if the application was approved that Members could request a condition in order for the building to be used solely as a residential care home.

In response to Members questions about fire regulations, Officers stated that these regulations do not form part of the planning process.

Further discussion amongst Members raised the following points;

- That there was a need for further public consultation to be conducted by the applicants.
- If conservation roof lights were installed that these would not be prominent in the streetscene.
- The traffic in the area was no worse than in other areas in the city.
- The location of the refuse bin for the proposed care home was not satisfactory
- The effect on the quality of life of local residents in relation to access to their properties(in one case particularly), would require them accessing their home across the care home entrance.

**RESOLVED:** That the application be approved subject to the conditions listed in the report and the additional conditions requested by Members during the meeting.

**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:

- Loss of employment premises;
- Compatibility of use
- Effect on the residential amenity
- Effect on heritage assets
- Impact on visual amenity
- Access, parking and highway safety
- Drainage issues and flood risk

As such the proposal complies with national planning advice contained within Planning Policy Statement 1: Delivering Sustainable Development(PPS1), Planning Policy Statement 3: Housing(PPS3), Planning Policy Statement 5: Planning for the Historic Environment(PPS5) and Planning Policy Statement 25: Development and Flood Risk(PPS25) and policies SP6, GP1, GP15A, HE2, HE3, T4, H12, H17 and E3b of the City of York Development Control Local Plan.

**5d Townends Accountants Harlington House 3 Main Street, Fulford, York. YO10 4HJ**

Members considered an application for a one and half storey pitched ancillary building for use as a residential care home to the rear of Harlington House. This application was associated with the previous application for the change of use of the building.

Officers updated Members and informed them that;

- The applicant had submitted a revised plan with the reduction of rooflights on the proposed building.
- That two of the rooflights needed to be lowered for the fire escape.
- That Officers were informed that the rooflights for the fire escape will be obscure glazed.
- That the Council's Archaeologist has requested that an archaeological watching brief be added to the approval conditions, if Members are minded to approve the application.

Representations in opposition to the application were heard from a group of local residents. They stated how they felt that the proposed ancillary building would cause further security problems because the application had made no provision for security lighting in the report.

Additionally, they felt that the strips of garden and open space were unsupervised and could be used as a smoking area or by people loitering unnoticed outside the building.

They also felt that the bats that were resident in the area would be detrimentally affected by the lights that were being proposed.

Members commented how they felt that the proposed additional ancillary building on the site could constitute overdevelopment. They highlighted that there would be a loss of an open space area for the residents of Harlington House and that the distance from the immediate neighbouring property to the south side of the proposed building would be too close. This would in turn, cause a detrimental effect on the Fulford Conservation Area.

**RESOLVED:** That the application be refused.

**REASON:** The proposal would constitute overdevelopment of the site due to its size, massing, scale and proximity to site boundaries. As a result it would lead to an overbearing structure close to the southern site boundary that would erode the residential amenity of the future care home to the south on St Aiden's Close, harm to the amenity of the future care home residents due to the lack of adequate usable amenity space and would adversely affect the character and appearance of the adjacent Fulford Conservation Area. It is therefore contrary to the Central Government advice in Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Statement 5: Planning for the Historic Environment and Policies GP1 and HE2 of the City of York Draft Development Control Local Plan.

### **5e 3 Westlands Grove York YO31 1DR**

Members considered an application for the erection of a single storey orangery to the rear of the property at 3 Westlands Grove.

This application was brought to Committee due to the applicant being a Council employee.

**RESOLVED:** That the application be approved.

**REASON:** In the opinion of the Local Planning Authority, the proposed single storey extension, subject to the conditions listed above, would not cause undue harm to the interests of acknowledged importance, with particular reference to the impact on the residential amenity of neighbours and the effect on the character and appearance of the streetscene. As such the draft proposal complies with Policies H7 and GP1 of the City of York Local Plan Deposit Draft.

R CREGAN and R MOORE, Chairs  
[The meeting started at 2.05 pm and finished at 4.40 pm].