
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	19 AUGUST 2010
PRESENT	COUNCILLORS HORTON (CHAIR), REID (VICE-CHAIR), CRISP, STEVE GALLOWAY (NOT IN ATTENDANCE FOR PLANS ITEMS 3F, 3G, 3H, 3I, 3J, 3M & 3N) GALVIN, GILLIES, SUNDERLAND, B WATSON (NOT IN ATTENDANCE FOR PLANS ITEMS 3M & 3N) AND MOORE (SUB FOR CLLR MORLEY)
APOLOGIES	COUNCILLOR MORLEY

13. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Bank Guest House, 9 Southlands Road	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Knavesmire Primary School, Trafalgar Street	Councillors Crisp, Gillies, Horton, Reid, B Watson.	In order that Members could familiarise themselves with the site.
1 Main Street, Copmanthorpe	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Land at corner of Tadcaster Road and Old Moor Lane	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
39 St Paul's Square	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
Reel Cinema, Blossom Street	Councillors Crisp, Gillies, Horton, Reid, B Watson.	In order that Members could familiarise themselves with the site.
The French House Antiques, 74 Micklegate	Councillors Crisp, Gillies, Horton, Reid, B Watson.	As objections had been received and the officer recommendation was for approval.
De Grey Rooms, St Leonards Place	Councillors Crisp, Gillies, Horton, B Watson.	In order that Members could familiarise themselves with the site.

14. 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 Reid declared a personal prejudicial interest in Plans items 3a and 3b (De Grey Rooms, St Leonards Place, York) as a member of the York Theatre Board and left the room during discussion and voting on the applications.

Councillor Crisp declared a personal prejudicial interest in Plans items 3a and 3b (De Grey Rooms, St Leonards Place, York) as a member of the York Theatre Board and left the room during discussion and voting on the applications.

Councillor Sunderland declared a personal non-prejudicial interest in Plans items 3c and 3d (The French House Antiques, 74 Micklegate, York) as a friend worked on the premises.

Councillor Galvin declared a personal non-prejudicial interest in Plans item 3m (Change of use from shop (A1) to café/teashop (A3)) as he had discussed the proposal with the applicant but confirmed that he had not expressed any view in relation to the application.

15. PUBLIC PARTICIPATION

There were no registrations to speak under the Council's Public Participation Scheme on general issues within the remit of the Sub-Committee.

16. 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.

16a De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01089/FUL)

Members considered a full application from Mr Ian Daniels for the use of the building as a theatre workshop and ancillary theatre uses including rehearsal space, costume making, costume hire and storage.

Officers updated that since the agenda had been published a further letter had been received from a local resident who had also attended the site visit. She had raised objections to the proposal and requested the continued use of the ballroom for dancing. It was reported that this objection had since been withdrawn as the objector was to make a direct request to the Theatre Royal. It was also reported that the Guildhall Planning Panel had no objections to either the Full or Listed Building planning applications for the premises.

Representations in objection were received from a local resident who raised concerns at the removal, from public use, of a centrally accessible venue that would accommodate 200 people. He questioned whether it would be possible to share the use with the Theatre with the ballroom being retained for public use.

Members questioned a number of aspects of the application, and referred to the buildings under use and to the proposals to make the building more accessible for all members of the public.

RESOLVED: That the application be approved subject to the conditions listed in the report.

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 compatibility with surrounding uses, the special interests of the Grade II* listed building, the character and amenity of the conservation area, and improved access to the building. As such, the proposal complies with Policies HE3, HE4, GP12 of the City of York Development Control Local Plan (2005) and national planning guidance contained in Planning Policy Statement 5 "Planning for the Historic Environment".

16b De Grey Rooms, St Leonards Place, York, YO1 7HB (10/01090/LBC)

Members considered an application for listed building consent for internal alterations including disabled access, additional sanitary facilities, the insertion of a mezzanine floor in the Oak Room, and the removal of the bar, stage and suspended laylight in the Ballroom.

The representations made in relation to the previous application also related to this listed building application.

RESOLVED: That the application be approved subject to the conditions listed in the report.

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 special interests of the listed building. As such, the proposal complies with Policy HE4 of the City of York Development Control Local Plan (2005) and national planning guidance contained in Planning Policy Statement 5 "Planning for the Historic Environment".

**16c The French House Antiques, 74 Micklegate, York, YO1 6LF
(10/01094/FULM)**

Members considered a major full application (13 weeks) by LaRock Construction for the change of use and alterations to create 12 residential units at the property to the rear of 74-76 Micklegate and 3 and 4-5 Barker Lane.

Officers updated that amended plans had now been received which addressed concerns relating to the impact of the conversion on the character of the buildings and the wider Conservation Area. They also circulated an update (full details of which are attached to the online agenda for the meeting) which reported:

- Submission of a method statement by a structural engineer;
- Bat emergence report;
- Comments from the drainage engineer;
- Additional conditions required relating to:
 - Materials
 - door and window schedules
 - solar panels
 - details relating to railings, balustrading, roof-lights etc
 - details of the raised north light roof-light
 - landscaping
 - bat mitigation and conservation and
 - removal of permitted development rights

Members questioned the use of the phrase ‘making good’ in the condition relating to building works and officers confirmed they would amend the condition to make it more robust.

Representations in support of the scheme were received from the applicants agent. She referred to the under use of the premises and to the proposal which would retain the retail unit on Micklegate. The present design had evolved following the guidance of the Planning Officers. It was felt that the design was sympathetic to the integrity of the listed building and its historical context.

Members stated that the proposal was an imaginative use of the premises but went onto question a number of aspects of the application including:

- access to the reception area through the retail unit;
- concern that the retail unit could be lost in the future;
- health and safety issues of the present use;
- details of the access from Barker Lane to the residential units.

Following further discussion it was

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

1. Notwithstanding any proposed materials specified on the approved drawings or in the application form

submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Bricks and slates should be carefully dismantled, cleaned and stacked for reuse on site. Rain water goods should be cast iron. The development shall be carried out using the approved materials.

2. Any repairs or refurbishment of existing architectural features shall be carried out to a high standard in materials, methods and details to match surrounding surfaces.
3. A door and window schedule shall be provided to describe both new and adapted joinery. The schedule shall include a description of thresholds, cills, reveals and lintols with the drawings to supplement the text a minimum scale of 1:20. The schedule shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
4. Full details of the solar panels shall be submitted (manufacturer's literature and sizes) and this should include a typical section showing them in relation to the roof coverings. The solar panels onto Barker Lane should be specified in full, giving maximum dimensions. The details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
5. Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
 - a. new railings around the basement lightwell
 - b. timber infill screen to basement lightwell
 - c. external canopies
 - d. protective balustrading to openings at high level
 - e. new gates onto Barker Lane
 - f. new wall and railings onto car-park
6. Full details of the rooflights and verges of the raised north – light rooflight shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

7. A method statement shall be provided describing how the dismantling and construction of the raised north-light rooflight will be carried out to avoid damage to surrounding structures within the confined environment. The statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
8. Prior to the development commencing, full details of the landscape proposals showing levels (if different from existing), hard and soft materials, samples of materials and details of external lighting, shall be submitted and approved in writing by the Local Planning Authority. The existing cast iron drain covers should be reused. The development shall be carried out in accordance with the approved details.
9. No development shall take place until full details of what measures for bat mitigation and conservation are proposed and have been submitted to and approved by the Council.

The measures should include :

- (i) A plan of how work is to be carried out to accommodate the possibility of bats being present.
- (ii) Details of what provision is to be made within the new building to replace the features lost through the conversion of the original structures. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing.
- (iii) The timing of all operations

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Council.

If bats are discovered during the course of the work, then work should cease and Natural England consulted before continuing.

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B,C, D,E and F of Schedule 2 Part 1 of that Order shall not be erected or constructed.

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 principle of conversion / loss of employment land; design / impact on the conservation area; residential amenity; highway safety; sustainability and contributions. As such the proposal complies with Policies HE2, HE3, HE4, H4A, E3B, GP4A, L1C and ED4 of the City of York Development Control Local Plan.

**16d The French House Antiques, 74 Micklegate, York, YO1 6LF
(10/01116/LBC)**

Members considered an application for listed building consent from LaRock Construction for internal and external alterations to the building.

Officers updated that amended plans had now been received which addressed concerns relating to the impact of the proposal on the character and appearance of the listed building. They also circulated an update (full details of which are attached to the online agenda for the meeting) of recommended additional conditions relating to:

- Standard plans list condition;
- Materials, brickwork and 'making good';
- Door and window schedule;
- Requirement for large scale details;
- Fire protection, thermal performance and acoustics;
- Protection of the central chimney
- Details of rainwater goods and a repair schedule together with a
- Full photographic record of the existing condition of the building.

The representations made in relation to the previous application also related to this listed building application.

RESOLVED: That the application be approved subject to the conditions listed in the report together with the following additional conditions:

1. The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Dwg No's 010 Rev D (Proposed Basement & Ground Floor Plans), 011 Rev B (Proposed First Floor Plans), 012 Rev B (Proposed Second & Third Floor Plans), 013 Rev A (Proposed Roof Plan), 014 Rev C (Proposed Elevations) received 11 August 2010.

2. Any repairs or refurbishment of existing architectural features shall be carried out to a high standard in materials, methods and details to match surrounding surfaces.

3. Blocking of openings in the external masonry walls shall be in solid brickwork to match adjacent walls. Reclaimed bricks shall be used where exposed. Cills, lintols and reveals shall match existing.
4. A door and window schedule shall be provided to describe both new and adapted joinery (internal and external), secondary glazing and any other works to existing windows and doors. The schedule shall include a description of thresholds, cills, reveals and lintols with the drawings to supplement the text drawn at 1:20 and 1:5 as appropriate. The schedule shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
5. Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
 - new staircase enclosure and door on ground floor
 - any amendments to lower part of main staircase
 - basement timber infill to lightwell (to include vents)
 - basement timber blocking to interior of rear door
 - new railings around the basement lightwell
 - new first floor rear window (details to match existing multi-pane windows)
 - door canopies
6. Full details of measures for achieving additional fire protection shall be provided, for example, intumescent paint for doors, smoke detection system. The details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
7. Full details of measures to improve thermal performance shall be provided, for example, increased loft insulation, secondary glazing and solar panels. The details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
8. Full details of measures for enhancing acoustic performance shall be provided. These measures should be non invasive. The details shall be submitted to and approved in writing by the Local Planning

Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

9. The central chimney at first floor level in the attached two storey building shall not be altered without prior written consent from the Local Planning Authority.
10. Rainwater goods shall be in cast iron and painted to match the existing.
11. No development shall take place until the applicant has submitted a repair schedule. This shall include details of repairs to the pavement light and a method statement for cleaning out the rear basement lightwell. The details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.
12. Notwithstanding the Historic Buildings Evaluation which has been provided, a full set of photographs showing the existing condition of the interior and exterior of the buildings prior to works commencing on site, shall be provided on CD, to be cross referenced to the existing plans (Ref: English Heritage Guidance: Understanding Historic Buildings - recording at level 1)

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 character and appearance of the Grade II listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

16e 39 St Pauls Square, York, YO24 4BD (10/00646/FUL)

Members considered a full application submitted by Mr and Mrs Gardiner for the erection of a detached two-storey dwelling with front and rear dormer windows to the side of 39 St Paul's Square.

Officers circulated an update (full details of which are attached to the online agenda for the meeting) in relation to the following:

- Comments of the Conservation Area Advisory Panel;
- Drainage engineers comments;
- Details of a further letter of objection from the occupants of 24 St Paul's Square;
- Additional and amended conditions relating to:
 - Foul and surface water drainage
 - Removal of permitted development rights

- Amendments to Condition 13 requiring large scale details of a number of areas.

Members questioned a number of aspects of the application and report, including:

- Reference to poor ground conditions and piling to a depth of 12m;
- Reference to future access by the occupant of 1A Enfield Crescent;
- Applicant being willing to provide a parking space to the southern side of the dwelling;
- Proposed method of piling;
- Possible amendments to the scheme to allow vehicular access on to the site.

Representations were received from a representative of the St Paul's Square Association. He confirmed that they did not object to the principle of residential development but had three objections to this scheme. These related to the size and height of the dwelling in relation to the site, future maintenance difficulties and concerns at the provision of no off street parking for a 6 bed property. He stated that a more modest dwelling, which reflected No. 39, would be more appropriate as it was important that the details were correct.

Representations in support of the scheme were received from the applicant's agent. He referred to lengthy negotiations with both the Planning and Conservation officers, which had resulted in the present application. He referred to the access/maintenance concerns and confirmed that the applicant would be happy to grant a right of access for neighbours to carry out any necessary works. Regarding the ground stability he confirmed that their structural engineers would be able to design foundations, which overcome any problems. He pointed out that the site was in a sustainable location and that off street parking could be provided if required.

Certain members went onto raise concerns about the possible breach in the front railings required to gain vehicular access to the site and to Highway Officers comments in relation to the property size and multiple car use. They felt that amendments could be made to the scheme to enable off street parking to be provided whilst maintaining the overall width of the property.

Councillor Moore then moved and Councillor B Watson seconded that the application be approved subject to an additional condition requiring details of the method of piling. On being put to the vote the motion was lost.

Following further discussion Councillor Steve Galloway moved and Councillor Gillies seconded that the application be refused on highway grounds.

RESOLVED: That the application be refused.

REASON: The proposed development would result in an increased demand for on-street parking in an area where present demand for available on-street parking in the vicinity of the site is high. The Local Planning Authority considers that the additional demand for parking which would be generated by the development cannot be accommodated within the public highway, without unacceptable compromises being made both in terms of road safety and traffic congestion.

16f Reel Cinema, Blossom Street, York, YO24 1AJ (10/01316/FUL)

Members considered a full application submitted by Mr K C Suri for the infill of an alleyway to create a retail unit.

Officers confirmed that they were awaiting elevational details of the frontage from the applicants.

Certain Members requested details of any evidence relating to crime and anti social behaviour and the need for the infill of the alleyway.

Following further discussion it was

RESOLVED: That subject to approval of the elevational details of the application being delegated to the Planning Officer the application be approved subject to the conditions listed in the report.

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 character and appearance of the listed building and the conservation area and residential amenity. As such the proposal complies with Policies SP7, GP1, HE3, and HE4 of the City of York Development Control Local Plan.

16g Reel Cinema, Blossom Street, York, YO24 1AJ (10/01317/LBC)

Members considered an application for listed building consent, submitted by Mr K C Suri for the infill of an alleyway to create a retail unit.

Officers confirmed that they were awaiting elevational details of the frontage from the applicants.

Following further discussion it was

RESOLVED: That subject to approval of the elevational details of the application being delegated to the Planning Officer the application be approved subject to the conditions listed in the report.

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 character and appearance of the listed building. As such the proposal complies with Policy HE4 of the City of York Development Control Local Plan.

16h Knavesmire Primary School, Trafalgar Street, York, YO23 1HY (10/01174/FUL)

Members considered a full application by Mr Colin Macdonald for the siting of a mobile classroom unit.

Officers updated that, if approval was granted an additional condition was needed to require the applicant to provide a full time solution to the provision of the unit within 3 years of the approval. They also confirmed that no classroom accommodation had been utilised with the provision of the Children's Centre on the site in 2009.

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

3. Within 3 years of the date of this permission details shall be supplied to the Local Planning Authority of the proposed permanent replacement facility for the temporary building hereby approved. The required details shall include the size of development required, its location and scale, and the timescale for submission of a planning application and its implementation and construction. The development shall occur in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the opinion of the Local Planning Authority proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual and residential amenity. As such the proposal complies with Policies GP23 and ED1 of the City of York Development Control Local Plan.

16i 46 Scarcroft Road, York, YO23 1NF (10/01427/FUL)

Members considered a full application from Mr Richard Kay for the change of use from 3 flats to 1 dwelling house (use class C3).

Members stated that an application for change of use of a property in the city from flats to one family dwelling was welcomed.

RESOLVED: That the application be approved subject to the conditions listed in the report.

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 loss of residential units, the impact on the character of the area, residential amenity and highway safety. As such the proposal complies with Policies GP1 of the City of York Development Control Local Plan(2005).

16j 23 Clifford Street, York (10/01401/FULM)

Members considered a major full application (13 weeks) from Mr M Swiers and MDW Hardy for the conversion of existing offices and the erection of 4 additional floors to create a 6 storey building comprising 7 two-bed units and 4 one-bed units (retrospective – amendments to scheme granted permission under ref: 06/00146/FULM).

Officers updated that an amended plan had now been received which addressed the issue of opening doors onto the balcony. It was reported that to make the application acceptable, in terms of air quality, the Environmental Protection Unit had requested that the development should have non-opening windows fronting Clifford Street. Officers also reported that, if approval were granted, Condition 8 should be amended to refer to the provision of 10% of the predicted energy requirements from on-site renewable resources rather than 5% and to require the provision of large scale details of the glazed extension.

Certain Members raised concerns at the changes proposed to the original scheme, which had been approved in 2006. Reference was made to the time taken to gain the sympathetic design for this scheme as the site had listed buildings on either side and was in a conservation area.

In answer to Members questions Officers confirmed that the issue of non opening windows on the frontage had previously been agreed by the Committee. Members indicated that it was intended to improve air quality in this area and they felt it was unfair to condition non opening windows, this should be the occupants choice.

Other Members confirmed that they understood the concerns at the proposed changes to the original scheme but that they now had to consider whether the amendments were acceptable. Officers considered that the amended scheme closely represented the intentions of the approved design.

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

3. Large scale details (at 1:5 or 1:10 scale) of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the pertinent development and the works shall be carried out in accordance with the approved details.
 - a) to d) as detailed in the report
 - e) The glass extension to apartment 5.
8. Prior to occupation of the building hereby approved, details shall be submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide at least 10% of the predicted energy requirements from on-site renewable resources. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority.
10. Deletion of Condition 10.
11. Amended Condition 11: Details of any required mechanical ventilation shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details, before the use hereby approved is occupied.

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 character and appearance of the Central Historic Core Conservation Area and the historic setting; - Archaeology; the amenity of future occupants and sustainability. As such the proposal complies with Policies GP1, GP4a, HE2, HE3 and HE10 of the City of York Local Plan Deposit Draft.

**16k Bank Guest House, 9 Southlands Road, York, YO23 1NP
(10/01310/FUL)**

Members considered a full application, submitted by Brothers Property Ltd, for the change of use from a guest house (use class C1) to a house in multiple occupation (sui generis).

Councillor Gunnell, as one of the Local Members made representations on behalf of local residents in the area. She referred to problems of anti social behaviour, intimidation and rubbish, which had existed over a number of years in relation to the use of properties in Southlands Road for hostel purposes. Residents had also raised the issue of parking which they felt would increase with the proposed change of use. She asked that if approval was granted for the change of use that it should include a caveat

that the property would only be used as an HMO and not for short term letting or a hostel.

Members referred to the earlier site visit when neighbours had acknowledged that there had been no problems in the area since the applicant's purchase of the property in April. The applicants had known all the tenants and had also offered to provide neighbours with a contact telephone number to report any future problems.

Officers confirmed that an application for change of use would be required if the property was to revert to a hostel.

RESOLVED: That the application be approved subject to the conditions listed in the report.

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 amenity of occupants of the host premises and surrounding properties, the residential character of the street and highway safety. As such the proposal complies with Policies H8 and GP1 of the City of York Development Control Local Plan.

16I Land on corner of Tadcaster Road and Old Moor Lane, York (10/01305/FUL)

Members considered a full application from Mr R Gorwood for a detached single storey dwelling with access from Old Moor Lane (revised scheme).

Representations in objection were received from the Secretary of Dringhouses and Woodthorpe Planning Panel. He confirmed that residents of Aldersyde Court, the flats to the north, would be badly affected by the proposals and referred to the number of letters sent in opposition to the scheme. He stated that the development contravened a number of planning policies as it did not contribute to the setting of the adjacent listed building and did not relate to its neighbours in terms of mass and design and would be detrimental to the amenity of neighbours.

Representations were also received from a representative of Aldersyde Court who referred to the number of elderly and retired residents and the adverse impact the development would have on their quality of life. He stated that residents spent much of their time either in their flat or garden and that the building would be over dominant and result in loss of light and overlooking due to its close proximity to the flats. He also referred to the difference in levels of the two sites and possible flooding issues.

Representations were also received from a further resident of Aldersyde Court who confirmed the points made by the earlier speaker. He pointed out that the only rooms, which did not face the site, would be bedrooms and that residents of the ground floor flats would face a brick wall and tiled

roof. He therefore requested Members to reject the application as the residents quality of life would be eroded.

Representations in support of the application were received from the applicant's agent. She referred to the Officers recommendation for approval, which had been made following consideration of all the issues raised. She stated that the development would not harm the setting of the adjacent listed building and that the reference to resident's loss of views over private land was not a planning issue. She confirmed that the bungalow would only be 2.5m in height with the pitched roof sloping away from the flats, which would not result in any loss of amenity for residents.

Councillor Holvey, as one of the Local Members, stated that he felt strongly that the application should be refused. On behalf of residents he went onto reiterate their concerns and the depth of feeling at the impact the development would have on the elderly residents quality of life.

Some Members referred to the planning guidelines in respect of distance between facing walls and the boundary hedge and due to the separation distances they felt that this would not unduly affect the residents outlook or amenity.

Following further discussion Councillor B Watson moved and Councillor Reid seconded that the application be refused on the grounds of its impact on the character of the area and, the detrimental impact on the amenity of adjacent residents. On being put to the vote it was

RESOLVED: That the application be refused.

REASON: It is considered that the proposed building would detract from the open character of the area by virtue of its incompatibility with the adjacent three storey development at Aldersyde Court. It would also adversely affect the amenity and living conditions of adjacent residents by virtue of its proximity and relationship to the main living accommodation within Aldersyde Court, resulting in an unacceptable loss of outlook.

As such the proposed development would be contrary to national planning advice contained within Planning Policy Statement 1: Delivering Sustainable Development (in particular paragraphs 5 and 34), Planning Policy Statement 3: Housing (in particular paragraph 16) and policies GP1, GP10, H4a and H5a of the City of York Draft Local Plan.

16m 1 Main Street, Copmanthorpe, York, YO23 3ST (10/01159/FUL)

Members considered a full application submitted by Mr Dearlove for the change of use from a shop (class A1) to a café/teashop (class A3).

Members pointed out that it had been noted at the site visit that no pavement existed on the site frontage, which required pedestrians to negotiate vehicles parked in the marked spaces to access the property. They expressed safety concerns over the access and requested a possible review of the Highway restrictions to provide a safe access to and from the premises.

RESOLVED: That the application be approved subject to the conditions listed in the report and the addition of the following informative:

Removal of Parking Bay

The applicant is recommended to discuss the possible removal of one of the roadside parking bays to allow easier access to and from the premises and in the interests of highway safety.

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 character of the area, loss of amenity to neighbouring properties, highway safety or the loss of a local shop. As such the proposal complies with Policies HE3, S6 and S9 of the City of York Development Control Local Plan.

16n The Old Coach House, Boroughbridge Road, Upper Poppleton, York, YO26 6QB (10/01344/FUL)

Members considered a full application from Mr G Howe for first floor extensions to the side and rear, pitched roof dormers to the front and side, a porch to the front, conversion of the garage and external alterations to windows, doors and vehicle access.

Officers updated that if planning permission was granted two additional highway conditions and an informative were required. These related to junction widening and surfacing and agreement of details in relation to cycle parking.

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

1. The development shall not be begun until details of the junction between the private drive and the highway and its surfacing which should be sealed and positively drained within the site, have been approved in writing by the Local Planning Authority, and the development shall not come into use until the junction has been constructed in accordance with the approved plans.

2. Prior to the development commencing details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

INFORMATIVE: You are advised that prior to starting on site consent will be required from the Highway Authority for the works proposed, under the Highways Act 1980 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Works in the highway – Section 171/Vehicle Crossing
– Section 184 – Stuart Partington (01904) 551361.

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 character or the area, the character of the dwelling, neighbours residential amenity or the existing mature trees. As such the proposal complies with Policies NE1 and H7 of the City of York Development Control Local Plan, the Poppleton Village Design Statement and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

16o 76 Beckfield Lane, York, YO26 5RJ (10/01422/REM)

Members considered a reserved matters application by Daniel Gath Homes Ltd for the erection of 4 two-bed dwellings to which outline planning permission 09/02103/OUT relates.

Officers circulated an update (full details of which are attached to the online agenda for the meeting) in relation to issues raised since the agenda had been published, which included:

- A further five individual representations had been received, however the majority of issues raised had been covered by earlier correspondents;
- The principle of the development had been considered and approved when outline permission had been granted on 18 February 2010, and could not be reconsidered.

Members questioned a number of points, including:

- The area of the site;

- Dwellings would benefit from the addition of a porch to break up the frontage.

Following further discussion it was

RESOLVED: That the application be approved subject to the conditions listed in the report.

REASON: In the opinion of the Local 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 impact upon the visual amenity of the wider street scene, impact upon on-street parking and traffic generation in the wider area and impact upon the local pattern of surface water drainage. As such the proposal complies with Policies GP1, GP4a), GP10, GP15a), H4a) and L1c) of the City of York Development Control Local Plan.

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 5.55 pm].

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