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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	12 AUGUST 2010
PRESENT	COUNCILLORS HYMAN(CHAIR) CREGAN(VICE CHAIR) (MINUTE ITEMS 13-15, 16A, 16B, 16C, 16G AND 16H) DOUGLAS, FIRTH, B WATSON, MOORE, ORRELL, WISEMAN AND PIERCE (SUBSTITUTE FOR COUNCILLOR FUNNELL)
APOLOGIES	COUNCILLORS FUNNELL AND TAYLOR

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### INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
18 The Village, Wigginton	Councillors Hyman, B Watson, Moore, Firth, Wiseman and Pierce.	As objections had been received and the officer recommendation was for approval.
24 Low Mill Close	Councillors Hyman, Moore Firth, Wiseman and Pierce.	For Members to fully understand the context of the site and the objections of local residents.
University Sports Centre, Heslington Lane	Councillors Hyman, B Watson, Moore Orrell, Firth, Wiseman and Pierce.	As representation had been received in support of the application and the recommendation was for refusal.
34 Thief Lane	Councillors Hyman, Moore, Firth, Wiseman and Pierce.	For Members to fully understand the context of the site.
45 Millfield Lane	Councillors Hyman, Moore, Firth, Wiseman and Pierce.	As objections had been received and the officer recommendation was for approval.
OS Field 3022, Metcalfe Lane, Osbaldwick	Councillors Hyman, B Watson, Moore Orrell, Firth, Morley, Wiseman and Pierce.	For Members to fully understand the context of the site.

### 13. DECLARATIONS OF INTEREST

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

Councillor Pierce declared a personal interest in item 4b, due to studying a course at the University and as Ward Councillor in respect of items 4e and 4g.

Councillor Orrell declared a personal interest in item 4i as the applicants were known to him.

Councillor Wiseman declared a personal interest in item 4i as a member of Earswick Parish Council.

Councillor Firth declared a personal interest in item 4c as a member of Wigginton Parish Council.

Councillor Hyman declared a personal interest in item 4c as the applicant's son lived near to his property.

#### **14. MINUTES**

RESOLVED: That the minutes of the meeting of the East Area Planning Sub-Committee held on 7 July 2010 be signed and approved by the Chair as a correct record.

#### **15. PUBLIC PARTICIPATION**

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

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

#### **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 OS Field 3022, Metcalfe Lane, Osbaldwick, York (10/00529/FULM)**

Members considered an application for the erection of 90 polytunnels on agricultural land to the east of Metcalfe Lane in association with use of 3.29ha of land as allotments with associated facilities including reception/shop/toilet block, associated parking area and highway improvements to Metcalfe Lane.

The following additional written representation was tabled:

- Statement from Councillor Morley, Ward Member for Osbaldwick, in objection to the application.

- Document entitled “Potential Alternative Construction Traffic Routes, Derwenthorpe, Metcalf Lane, York – Landscape Assessment” tabled by a representative of Osbaldwick Parish Council.

In their update to Members, officers reported that the Conservation Architect had stated that the application was likely to impact on the quality of Metcalfe Lane and would harm the conservation area.

The agent for the applicant spoke in support of the application. He stated that advice had been taken in respect of drainage and highways. A biodiversity survey had also been carried out and a water harvesting system would be in operation. The document that had been tabled by the representative of Osbaldwick Parish Council was not specific to this site.

A representative of Osbaldwick Parish Council spoke in objection to the application. He read out extracts from documents that he had tabled and stated that the lane was a much used right of way.

Councillor Morley spoke in objection to the application. He stated that the lane was in fairly constant use, including for recreational purposes. The application would result in enduring damage to the environment of the area.

Members expressed concerns in respect of the proposed widening of the highway, issues in respect of drainage and at the impact on the landscape because of the scale of the application.

RESOLVED: That the application be refused.

- REASONS:
- (i) The proposed development would be accessed off a private road. It is considered that the application fails to indicate that the proposed improvements to the road will be adequate to cater for the increase in traffic generated by the proposal, such that it would be likely to generate conflict with the safety and enjoyment of cyclists and pedestrians who use the route. As such the proposal conflicts with policy T2a of the City of York Draft Local Plan (fourth set of changes) approved April 2005 and Central Government advice relating to traffic safety in Planning Guidance Note 13 (Transport).
  - (ii) The application fails to indicate how improvements to drainage and vehicular access will be implemented without adversely affecting the biodiversity of Metcalfe Lane and its rural character. As such the proposal conflicts with policy HE2, HE3, GP1, GP9, NE1 and NE7 of the City of York Draft Local Plan (fourth set of changes) approved April 2005 and Central Government advice contained in Planning Policy Statement 9 (Biodiversity and Geological Conservation) and Planning Policy Statement 1 (Delivering Sustainable Development).

- (iii) The application provides insufficient information to determine the potential impact the proposals will have on the existing drainage system. These concerns are particularly significant given the history of surface water flooding in the area. As such the proposal conflicts with policy GP15a of the City of York Draft Local Plan (fourth set of changes) approved April 2005, The City of York Flood Risk Assessment (September 2007) and Central Government advice relating to flood risk contained in Planning Policy Statement 25 (Development and Flood Risk).
- (iv) The application fails to show that the recreational benefits to residents from the use of the site will outweigh the impact the development (including alterations to Metcalfe Lane and ancillary facilities) will have on the loss of openness of the Green Belt and the character and appearance of the Osballdwick Conservation Area. As such the proposal conflicts with policy GB1, GB13, HE2 and HE3 of the City of York Draft Local Plan and Central Government advice relating to development in Green Belts contained in Planning Policy Guidance Note 2 (Green Belts) and Planning Policy Statement 7 (Sustainable Development in Rural Areas) and Planning Policy Statement 15 (Planning for the Historic Environment).

#### **16b University Sports Centre, Heslington Lane, York (10/01052/FULM)**

Members considered an application to seek to vary condition 3 of planning permission 05/00983/FULM to extend the time limit for removal of the temporary sports hall until 14 July 2020.

The following additional written representation was tabled:

- Statement from Councillor Aspden and Councillor Jamieson-Ball requesting that the Committee considered all options in respect of the application, including agreeing to the facility for a further five years whilst the university looked at any future permanent options.
- Letter from the Executive Headteacher of Fulford School detailing the school's use of the university's sports facilities.

Officers gave an update on the application. The applicant had submitted a letter from the headteacher of Fulford School supporting the application and stating that the school relied heavily on the hall for their PE needs and was concerned that if the sports hall were removed the school would have no alternative facility.

Officers also gave details of representation in support of the application that had been received from a member of the public. It argued that whilst the hall is not a thing of beauty it was not out of place in its surroundings and was of enormous benefit to both the university students and to people unconnected with the university, including local schools and sports clubs.

Formal comments had also been received from Lifelong Learning and Leisure. They had stated that the city currently had a shortage of indoor sports hall space. Whilst the council had plans to tackle this shortfall the existing tent was a welcome temporary addition to the city's facilities. But it was not a proper indoor sports hall, it did not have air conditioning or heating of any kind. Nor did it have a sprung floor. However the tent did provide covered space for 5 a side football and other team games that would otherwise be played outdoors. Much of this use could be relocated to the new "sports village" on Heslington East by 2012. Lifelong Learning and Leisure would be happy to see the tent continue to exist but granting a temporary approval for 2, 5 or 10 years would not address the long-term provision of sporting opportunities. If Members were minded to approve this application Lifelong Learning and Leisure would request that it be conditional upon the university agreeing that within the next 2 years it would develop a time-tabled scheme for the delivery of the indoor sports hall space required at Heslington East.

Members queried whether they could determine the time limit for removal. Officers clarified that the application was for a further ten years, i.e. to 14 July 2020 and should be considered as such. If, during the proceedings, the applicant indicated that a shorter time limit would be accepted, Members could take this into account.

A resident spoke in support of the application and tabled a list of 113 names of residents who had joined a Facebook campaign to keep the sports hall in operation. He stated that the local community should not be made to suffer and suggested that if approval was given for a further five-year period, this would provide the university with sufficient time to make alternative arrangements.

The applicant's agent spoke in support of the application. He stated that the sports hall was very well used by the university, local school children and the community. The university's capital programme had just been agreed. Under a partnership arrangement the university would contribute £5m towards the sports village. The university recognised the need to replace the sports hall but it was a matter of priorities. A balance had to be struck between its appearance and the need to provide facilities for the wider community. Funding was not currently available without jeopardising other schemes such as the swimming pool. He requested that the time limit for removal be extended for a further ten years. In response to a question from a Member he confirmed that a five-year period would be preferable to refusal.

Councillor Alexander spoke in support of the application. He stated that there were insufficient sports facilities and that although there was a need for a replacement facility, the local community would suffer if approval was not extended.

Councillor Pierce spoke in support of the time limit for removal being extended. He commented on the need for the facility and stated that the appearance of the sports hall was not out of context and that landscaping could be carried out.

Officers were asked if the university could be required to submit plans for alternative sports provision within a specified period. They advised that this would not be enforceable but that an alternative would be to limit the period of approval with the agreement of the applicant.

The applicant stated that the university's commitment to sport and recreation was evidenced by the £5m investment in the sports village. The university would be pleased to accept a five-year extension rather than refusal but funding commitments for the next four years had already been made. The facility was well used and the university was willing to take remedial measures, including some screening, if necessary.

Members expressed serious concerns that the university had not put plans in place to replace the sports centre with a permanent structure and had already agreed a capital programme for the next four years. These concerns had to be balanced against the fact that the facilities were well used by school children and the local community. It was suggested that a six-year period would provide the university with an opportunity to put forward plans for a permanent structure, taking into account the fact that its capital programme for the next four years was already in place. Members stated that they would expect the university to discuss with the council any proposals for a replacement sports hall before the expiry of the temporary consent. A condition in respect of landscaping should also be put in place.

Councillor Moore moved and Councillor Wiseman seconded a motion to approve the application for a six-year period and subject to a condition being included in respect of landscaping.

RESOLVED: That the application be approved subject to the following conditions:

1. The temporary indoor sports hall building shall be removed by 14 July 2016 and the land reinstated to its former condition.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis.

2. The existing areas within the site for parking and manoeuvring of vehicles (and cycles) shall be retained solely for such purposes.

Reason: In the interests of highway safety.

3. All lighting shall be positioned and angled to prevent glare, reflection or distraction to highway users.

Reason: In the interests of road safety.

4. The height of the floodlights hereby approved shall not exceed 14m from approved ground levels.

Reason: In the interests of visual amenity.

5. The rate of discharge into the watercourse shall not exceed 1.4 litres per second.

Reason: To ensure the development is acceptable in drainage terms.

6. Within three months of the date of this permission detailed proposals for the landscaping/screening of the temporary sports hall shall be submitted to the local planning authority and approved in writing. The scheme, which shall show the number, species, height and position of trees and shrubs shall be implemented within 6 months of the date of this permission. Any trees or plants which, within a period of five years from the date of this planning permission die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To minimize the visual impact of the proposals on the surrounding area.

REASON: It is considered that the temporary sports hall, by virtue of its impact on the character and visual amenity of the surrounding area, its utilitarian design and deteriorating visual appearance is unsuitable for retention at the site beyond the temporary permission granted.

#### **16c 18 The Village Wigginton York (10/01103/FUL)**

Members considered a full application for the erection of a 2-bedroomed dormer bungalow with integral garage.

Representations were received from a neighbour in objection to the application. He raised concerns regarding the size of the property, its proximity to neighbouring properties and the resulting loss of privacy, the size of the turning area, potential problems in respect of an overhanging wall and the absence of a clear drainage plan. He also stated that there had been a significant change since the plans were first approved in that a conservatory had now built at a neighbouring property.

Representations were also received from the applicant's agent in support of the application. He stated that the application was identical to that which had previously been approved and that the owners of the property at which the conservatory had been built had been aware that planning permission had been granted for 18 The Village. Permission had recently

been granted for a new house to be built in the garden of a neighbouring property and this was a similar application.

In response to concerns expressed by some Members regarding the removal of a monkey tree, confirmation was given that the tree officers judged that there was insufficient reason to justify its protection. A photograph of the tree was circulated.

At the request of Members, Officers clarified the situation regarding recent Government changes to the planning rules in respect of “garden grabbing”. Officers stated that the council still had to ensure the efficient use of land and commented that planning permission had been granted previously and that the site would not be classed as a garden.

Officers confirmed that the Environmental Protection Unit had no objections to the proposal. An EPU informative could be added if the application were to be approved.

Some Members raised concerns regarding the size of the property and stated that the situation had changed since the original application had been approved. Other Members agreed that it would be difficult to justify why the original application had been approved but was not now acceptable, particularly as the conservatory of the neighbouring property had been built in the knowledge of the planning approval having been granted and the land was suitable for development.

Councillor Firth moved and Councillor Pierce seconded a motion to refuse the application. On being put to the vote, the motion was lost.

Councillor Moore moved and Councillor Wiseman seconded a motion to approve the application subject to additional informatives in respect of EPU and drainage.

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

1. The drainage details to be submitted should include a topographical survey showing the proposed finished floor level to ordnance datum and connection to the mains drainage system. In accordance with PPS25 and in agreement with the Environment Agency / City of York Council, peak surface water run-off from development must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable areas). Storage volume calculations, using computer modelling, must accommodate 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 must also include an additional 20% allowance for climate change. The modelling must use a range



of storm durations, with both summer and winter profiles, to find the worst-case volume required.

2. If, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

The developer's attention should also be drawn to the various requirements of the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974.

- a. All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:  
Monday to Friday 8:00 to 18:00  
Saturday 9:00 to 13:00  
Not at all on Sundays and Bank Holidays
- b. The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".
- c. All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with the manufacturers instructions.
- d. The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974,

shall be employed at all times, in order to minimise noise emissions.

- e. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.
- f. There shall be no bonfires on the site.

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 visual appearance, neighbour amenity, sustainability, drainage and provision of open space. As such the proposal complies with Policies H4a, GP1, GP10, GP15, GP4a and L1c of the City of York Local Plan Deposit Draft.

**16d 45 Ashton Avenue York (10/01179/FUL)**

Members considered an application to erect a detached two-storey dwelling, with associated detached garage.

A statement from the applicant was read out and revised plans were tabled.

It was explained to the applicant that it would not be possible for the revised plans to be taken into account at this stage but the option was open to her to withdraw the existing plans and resubmit the tabled plans. Members suggested that it would also be useful for a site visit to take place.

The applicant confirmed their approval of this suggestion.

RESOLVED: That consideration of the application be deferred.

REASON: To enable the application to be formally withdrawn and a new application submitted.

**16e 45 Millfield Lane, York (10/01196/FUL)**

Members considered an application for change of use from dwelling (use class C3) to house of multiple occupation (use class C4).

In their update, officers stated that three other properties in the road were exempt from council tax payments.

The applicant spoke in support of the application. He stated that he was a York resident and would not be an absent landlord. He would maintain the property to a very high standard. There was sufficient car parking available and provision for cycle storage would also be made.

Councillor Pierce indicated on a map the location of student housing. He stated that a cluster of four such properties would be a dramatic intensification of HMOs. There was the likelihood of ill-maintained gardens and under occupancy at some times.

Members expressed concerns regarding an over intensification of HMOs in this area and the impact on neighbouring properties.

Councillor Watson moved and Councillor Wiseman seconded a motion to refuse the application.

RESOLVED: That the application be refused.

REASON: It is considered that the proposal would detract from the character of the area by virtue of creating an over-concentration of Houses in Multiple Occupation within this section of Millfield Lane, and would be likely to result in noise and disturbance to the occupiers of the adjacent property, to the detriment of residential amenity.

#### **16f The Villa, Elvington, York (10/01265/FUL)**

Members considered an application for the erection of 1no. dormer bungalow with attached single garage.

Written representation was tabled from residents of four neighbouring properties in objection to the application and requesting that the decision be deferred to enable some of them to be present at the meeting.

In the officer update, Members were informed that an objection had been received from the Environmental Planning Unit stating that a contamination survey assessment had not been submitted. A condition could be included to address this issue.

Members considered the request for deferment that had been made by neighbouring residents but agreed to proceed with consideration of this matter in view of the length of time that the application had been ongoing and the decision of the Planning Inspector.

At the request of Members, officers clarified the situation in respect of the applicant's financial contribution to open space improvements.

Councillor Moore moved and Councillor Hyman seconded a motion that the application be approved subject to the inclusion of an EPU condition.

RESOLVED: That the application be approved subject to the conditions listed in the report except for the replacement of condition 16 by the condition listed below:

### Additional Condition

Any suspect contaminated materials detected during site works shall be reported to the local planning authority. Any remediation for this contamination shall be agreed with and approved by the local planning authorities in writing and fully implemented prior to any further development of the site.

Reason: To protect human health and the wider environment.

REASON: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene, neighbours' light, outlook and privacy, trees and vegetation and highway safety. As such the proposal complies with Policies GP1, GP10, GP15a, NE1, H4a of the City of York Development Control Local Plan and advice contained in Planning Policy Statement 1 and Planning Policy Statement 3.

### **16g 34 Thief Lane, York (10/01306/FUL)**

Members considered an application for the change of use from dwelling house to house in multiple occupancy and the erection of two-storey side and single storey rear extension.

Officers updated that a response had now been received from the Hull Road Planning Panel. They had no objection but had raised concerns concerning a rise in vehicles. A map was shown which indicated known student houses.

The applicant stated that he was seeking to modernise the house and to make best use of the land. The application was in keeping with the neighbourhood and no one in the local neighbourhood had objected. The application exceeded HMO guidance in terms of space and it would be managed by a reputable property management company. The property would provide good accommodation and would allow students to live in a safe area near to the university.

A representative from Osbaldwick Parish Council spoke in objection to the application for reasons he had previously made the Committee aware of in respect of HMOs.

Councillor Pierce spoke in objection to the application stating that the number of HMOs detracted from the quality of the area, tabling a map which showed the concentration of HMOs.

Members expressed concern at the concentration of HMOs in the area and the overdevelopment of the site.

RESOLVED:

That the application be refused.

REASON:

- 1 It is considered that the proposed two-storey extension would, by virtue of its size, scale, and design, harm the appearance of the host dwelling and the character of the area. The proposed extension would appear as an incongruous form of development which would dominate the appearance of the host dwelling. Overall, therefore, the extensions are considered to be an overdevelopment of the site, to the detriment to the space between buildings and the character of the area. As such the proposal is considered contrary to Development Control Local Plan Policies GP1, H7, and H8 and advice contained within 'Guide to Extensions and Alterations to Private Dwelling Houses'.
- 2 It is considered that the proposal makes inadequate provision for off-street car parking, therefore would be highly likely to result in vehicles being parked on the highway, to the detriment of the amenity of neighbours and the free flow of traffic. Additionally the level and layout of bicycle parking is considered to be inadequate and would not encourage their use. As such the proposal fails to comply with Development Control Local Plan Policies H7 and H8, which require maintenance of nearby residential amenity and adequate car and cycle parking to be provided for such development.
- 3 The proposed increase of a three bedroom house to a seven bedroom House in Multiple Occupation is likely to significantly increase the comings and goings associated with the property, and would have only a modest outdoor amenity space for the number of prospective occupants. It is considered that the level of comings and goings and general activity associated with the application site, and the cumulative impact of another HMO in an area which already has a high concentration of such uses, would be likely to create noise and disturbance beyond which the adjacent residents could reasonably expect to enjoy. As such the proposal fails to comply with Development Control Local Planning Policies GP1, H7, and H8 which seek to ensure the living conditions of neighbouring residents are not significantly adversely affected by new development.
- 4 The increased level of occupation proposed would significantly increase the demand for refuse and recycling bin storage which at the extended property would need to be housed within the front garden. The proposed location within the front garden would be harmful to the appearance of the dwelling, and would weaken the Council's case for resisting further development of this type, which cumulatively would be significantly harmful to the residential character and quality of the area. The proposal is therefore contrary to Development Control Local Plan Policy H8, which requires

adequate provision for the storage and collection of refuse and recycling.

**16h 24 Low Mill Close York (10/01325/FUL)**

Members considered an application for the change of use from dwelling (use class C3) to house in multiple occupation (use class C4).

The following additional written representation was tabled:

- Statement from Councillor Aspden and Councillor Jamieson-Ball outlining local residents' concerns about the balance of student housing and suggesting that an Area of Housing/HMO Restraint would be a good idea for the council to consider in the future.
- Letters from two neighbouring residents in objection to the application.

Officers advised that there was some debate regarding student housing in the area. Although there were already two identified HMOs they did not believe that an additional HMO would constitute such a high level concentration as to be harmful. Each application was dealt with on a case-by-case basis.

A map was tabled that indicated HMOs in the area.

A neighbour spoke in objection to the application. She stated that it was inconceivable that the applicant was not aware that planning permission was required to operate a HMO from what was a residential dwelling, the property was designed for family accommodation, if permission were to be granted it would have a domino effect and it would be impossible to sell other houses in the street other than as buy-to-lets. Students did not pay council tax and would have an impact on other residents. They were very sociable and problems would occur when they had visitors, particularly in respect of parking and vehicle turning. There were already many student properties to let and yet family accommodation was being lost.

A second neighbour spoke in objection to the application and stated that the legislation in respect of HMOs had been put in place to prevent a high concentration of this type of dwelling. She expressed concerns about parking and the difficulties that were caused because the lifestyle and hours of students and families were very different. Family housing stock was being lost and it was important to retain the character of the area.

An agent on behalf of the applicant spoke in support of the application. He stated that the property was let to students and that the application was retrospective. He expressed doubts as to whether permission was actually required in these circumstances and drew attention to the Communities and Local Government Circular 05/2010. He stated that there was no evidence that more noise would be generated than at other properties. The Highways Department was satisfied in respect of parking provision and there would not be an over concentration of HMOs in the street.

A representative of Osbaldwick Parish Council stated that he was speaking in objection to all three of the HMO applications that were being considered at the meeting and commented that the council did not have a policy on this issue. It was important that there was clarity and consistency. He urged that the application be refused, particularly as it was retrospective.

Some Members expressed concern at the conditions for residents, parking provision, the impact on neighbouring properties and the over concentration of HMOs within the cul de sac. Other Members stated that the accommodation was of a suitable standard and that there was not a dense cluster of HMOs in the area.

Councillor Moore moved and Councillor Firth seconded a motion to refuse the application.

RESOLVED: That the application be refused.

REASON: It is considered that the proposal would detract from the character of the area by virtue of creating an over-concentration of Houses in Multiple Occupation within this cul de sac, and would be likely to result in noise and disturbance to the occupiers of the adjacent properties, to the detriment of residential amenity. The proposal would make inadequate provision for off street parking, resulting in vehicles being parked on the highway turning area at the head of the cul de sac, to the detriment of the convenience and safety of traffic and pedestrians, and the amenity of neighbours.

**16i 26 Earswick Chase. Earswick, York (10/01356/FUL)**

Members considered an application for the erection of a conservatory to the rear of the detached garage.

This was considered by the Committee due to the applicants being current and former Councillors of City of York Council.

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

REASON: The proposed extension, subject to the conditions listed in the report, would not harm the amenity or living conditions of the nearby neighbours or appear incongruous in the street scene. As such the proposal complies with Policies GP1 "Design" and H7 "Residential Extensions" of the City of York Local Plan Deposit Draft.

**17. APPEALS PERFORMANCE AND DECISION SUMMARIES**

Members considered a report that informed them of the Council's performance in relation to appeals determined by the Planning

Inspectorate in the three-month period up to 30 June 2010, and provided a summary of the salient points from appeals determined in that period. A list of outstanding appeals as at 31 July 2010 was also included.

Members suggested that it would be helpful if information on long-term performance were to be included with future reports.

RESOLVED: That the contents of the report be noted.

REASON: To update Members on appeals decisions within the City of York Council area and inform of the planning issues surrounding each case for future reference in determining planning applications.

Councillor K Hyman, Chair

[The meeting started at 2.00 pm and finished at 5.35 pm].