
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	9 SEPTEMBER 2010
PRESENT	COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, B WATSON, MOORE, TAYLOR, WISEMAN AND WAUDBY (SUBSTITUTE FOR COUNCILLOR ORRELL)
APOLOGIES	COUNCILLOR ORRELL

INSPECTION OF SITES

Site	Attended by	Reason for Visit
Robert Wilkinson Primary School, Strensall, York. YO32 5UH	Cllrs Hyman, Douglas, B Watson, Wiseman and Moore.	To familiarise Members with the site.
34 Eastward Avenue, York. YO10 4LZ	Cllrs Hyman, Douglas, B Watson, Wiseman and Moore.	To familiarise Members with the site.
2 Heathfield Road, York. YO10 3AE	Cllrs Hyman, Douglas, B Watson, Wiseman and Moore.	To familiarise Members with the site.
The Lodge, Heslington Lane, Heslington, York. YO10 5DX	Cllrs Hyman, Douglas, B Watson, Wiseman and Moore.	To familiarise Members with the site.

18. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they had in the business on the agenda.

No interests were declared.

19. MINUTES

RESOLVED: That the minutes of the meeting of the East Area Planning Sub-Committee held on 14 January 2010 be approved and signed by the Chair as a correct record.

20. 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.

21. PLANS LIST

21a Robert Wilkinson Primary School, West End, Strensall, York YO32 5UH (10/01192/GRG3)

Members considered an application for the construction of a vehicle parking area on an area of land at the front and at the southern corner of the Robert Wilkinson Primary School site.

Officers circulated an update to Members, which was attached to the published agenda after the meeting. Officers added that a publicity consideration which should have been included in their report, should read, "The application was publicised by way of letters to internal and external consultees, local residents and a site notice was posted, which expired on 22.7.10". They informed Members that a response from the Council's Drainage Engineer had been received stating that the site was in a low flood risk area, but that a condition could be attached to ensure that surface water drainage works would be carried out on the car park, if the application were approved.

Members made several suggestions including;

- An alteration to condition 6 to allow the reseeded to take place during the next planting season following the development.
- That the double yellow lines around the car park entrance should be extended, due to the existing bottleneck with Leyfield Close.
- That if the application was approved, that a construction management condition be added to ensure the safety of children during building works.

Additionally, Members commented and questioned that;

- The application did not include a fence to separate the car park from the rest of the school grounds, to ensure safety of the children.
- Whether the school travel plan accommodated the additional parking spaces provided by the application.

Representations were heard from a representative of Strensall Parish Council. He agreed with Members that the double yellow lines needed to be extended at the entrance to the car park. He also said that he hoped that the car park would reduce the need for on street parking around the school.

Councillor Moore moved approval of the application with a construction management condition and that a recommendation should be made to the Highways Department to extend the double yellow lines to 10 metres around the entrance to the car park.

Councillor Wiseman seconded approval of the application.

Councillor Taylor added that condition 5 in the Officer's report, relating to tree planting, needed to be strengthened to protect the trees over an extended time, for example five years.

RESOLVED: That the application be approved subject to the recommendations listed in the Officer's report with two amended conditions to read;

"Within two months of the car park hereby approved being brought into use, the surface of the existing car park at the school shall be removed and re-soiled to the satisfaction of the Local Planning Authority. The area shall be seeded in the next planting season after the area is resoiled. Protective fencing shall be provided around the seeded area until it becomes properly established."

REASON: In the interests of visual amenity

"Before the works hereby approved commence on site, a construction management scheme to ensure the safety of staff, pupils and visitors throughout the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme."

REASON: In the interests of public safety.

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:

Principle of the development
Visual impact
Trees
Residential amenity
Highway Safety
Flood Risk

As such the proposal compiles with national planning guidance contained within Planning Policy Statement 1 ("Delivering Sustainable Development"), Planning Policy Statement 25 ("Development and Flood Risk"), and Policies GP1, GP4a, NE1, ED1 and ED11 of the City of York Development Control Local Plan.

21b 34 Eastward Avenue, York. YO10 4LZ (10/00258/FUL)

Members considered an application for a two storey rear extension with balcony, two storey extension to front incorporating porch, alterations to roof, with gates, brick piers, wall and railings to front at 34 Eastward Avenue.

Officers circulated an update to Members, which was attached to the published agenda after the meeting. The update stated that the Council's Highways Engineer had confirmed that the minimum standard width to allow a vehicle to pass around the side of the house was 1.8 metres, and that therefore there were no objections from the Highways Department to the application.

Representations were heard from a neighbour in objection who stated that she along with other neighbours were against the application because;

- The extension would appear "fortress like" and thus significantly overshadow the neighbouring property.
- Other extensions to properties on the street had not been as dominant as the proposed application.
- If the application was approved that the decision could set a precedent for the design of future property extensions in the vicinity.

Representations were heard from a member of Fulford Parish Council. She told Members how the Parish Council did not agree with the Officer's recommendation for approval because;

- Although the impact of the extension had been reduced since previous submissions were rejected, a significant impact remained.
- They felt that the description of the extension to a room was incorrect, as it was their opinion that this could be used as a room itself.
- They felt that there were no special circumstances to warrant approval of the application because a stairlift could be installed without having to build an extension on to the property.

Members asked Officers questions regarding;

- Acceptable planning limits on the overshadowing of neighbouring properties.
- Whether there was existing development in the roof space of the property.
- Whether permitted development rights could be removed after approval of the application.

In response to Members' questions Officers stated that:

- There were no definite acceptable planning limits on buildings overshadowing neighbouring properties, but that the amount of light to the neighbouring property was regarded as being acceptable.
- The applicant had not shown development in the roof space of his property, but that internal alterations would not need planning permission.
- Permitted development rights could be removed, if Members were minded to approve the application.

Some Members stated that they considered that the application should be refused on grounds of visual amenity, neighbour impact and for parking issues.

Other Members called for refusal of the application because they felt that the sunpath would be detrimentally affected by the extension to the adjacent property. They added that they considered that the height and design of the front boundary enclosure was not in keeping with the area.

RESOLVED: That the application be refused.

- REASON: (i) The proposed front boundary enclosure, due to the height and design of the piers and railings, would result in an incongruous addition to the dwellinghouse that would be out of character with other boundary features along Eastward Avenue, and would be unduly prominent in views along the street. It would consequently detract from the appearance of the property and the streetscene to the detriment of visual amenity in the area. It is considered, therefore, that the proposal would conflict with Central Government advice in relation to design contained within Planning Policy Statement 1: Delivering Sustainable Development (Paragraph 34) and policies GP1 and H7 of the City of York Development Control Local Plan (2005).
- (ii) The proposed two storey rear extension, due to its height, size, scale and proximity to the site boundary, would result in an excessive degree of overshadowing and loss of light to the adjacent property at 36 Eastward Avenue, to the detriment of the residential amenity which occupiers of that dwelling could reasonably expect to enjoy. It would, therefore, conflict with policies GP1 and H7 of the City of York Development Control Local Plan (incorporating fourth set of changes 2005) and City of York supplementary planning guidance-Guide to extensions and alterations to private dwelling houses. (2001)

21c 2 Heathfield Road York YO10 3AE (10/01101/FUL)

Members considered an application for a two storey side extension and single storey rear extension at 2 Heathfield Road.

In their update to Members, Officers stated that an additional email had been received from a resident stating that they felt that HMOs(Houses of Multiple Occupation) were destroying the area and that ultimately no Council Tax would be collected from the property due to it being occupied by student tenants.

Representations were heard from a neighbour in objection to the application. She spoke about the proposed plans that the applicant had put forward for consideration and stated that;

- Although the proposed plans were revised, the original plans had stated that the extensions would not detrimentally affect daylight and sunlight to the back of the property. She had commissioned her own report, which concluded that this was incorrect. The revised plans would still adversely affect daylight and sunlight to this area.
- If the application were approved then there would be an increase in buy to let properties in the street.

Further representations were heard from another neighbour in objection to the application as a result of noise. The neighbour stated that due to the noise of the residents in the property that her children's bedrooms were very noisy and this had detrimentally affected their sleeping patterns.

Representations were heard from a representative of Osbaldwick Parish Council who stated that the Parish Council would support the residents in objecting to the application, and gave the following reasons:

- The properties on Heathfield Road that were built in the 1930s were never intended to have accommodated vast extensions.
- Although the application was not for a HMO(House of Multiple Occupation), Members should consider its future use when making their decision.

Representations were heard from the applicant who stated that he and his wife wanted to extend and upgrade their property and that they wished to rent it to a family or young professional couple. He had no intention of renting it to students. He also added that he would be willing to compromise on details of the application to secure its approval by Members.

Members asked Officers if revised proposals could be considered at the meeting.

Officers responded that revised proposals could not be considered at the meeting due to the need to re-consult and that if the applicant did wish for it to be determined by the Committee, that he would have to resubmit his application.

They also added, in response to a question from Members, that planning conditions could not restrict occupation of the property to certain groups of people.

Councillor Moore moved refusal of the application, because he felt that the proximity of the extension to the neighbouring property would be overbearing and overdominant.

Councillor Wiseman seconded refusal of the application on the grounds of restriction of space between the property and its neighbour.

RESOLVED: That the application be refused.

REASON: The proposed one and two storey extension would be located in close proximity to much of the rear garden of 1 Heathfield Road. It is considered that if approved the proposal would result in the small space being unduly enclosed by an overdominant and overbearing form of development, which would also result in excessive overshadowing. As such the proposal conflicts with Policies GP1 (Criterion I) and H7 (Criterion d) of the City of York Draft Local Plan (fourth set of changes) approved April 2005 and advice contained in paragraphs 1.33 of the City of York Council's Guide to Extensions and Alterations to Private Dwellings March 2001.

21d The Lodge, Heslington Lane, Heslington, York. YO10 5DX (10/01110/FUL)

Members considered an application for a single storey wrap around extension on the north west corner of The Lodge, Heslington Lane. This proposal sought the creation of additional residential accommodation in the form of four bedrooms and a lounge.

Officers highlighted to Members that the Conservation Officer had not raised any objections to the application. In response to a Member's questions, Officers answered that the front garden of the property was available for use by residents.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect on residential amenity and the impact on the character and appearance of the conservation area. As such, the proposal complies with Policies GP1 and HE3 of the City of York Development Control Local Plan-Incorporating the 4th Set of Changes(2005); and national planning advice contained within Planning Policy Statement 5: "Planning for the Historic Environment".

21e The Lodge, Heslington Lane, Heslington, York. YO10 5DX (10/01111/LBC)

Members considered a listed building application for a single storey side extension to the side and rear of the north west corner of The Lodge, Heslington Lane.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the special architectural and historic interest of the listed building. As such, the proposal complies with Policy HE4 of the City of York Development Control Local Plan-Incorporating the 4th Set of Changes(2005); and national planning advice contained within Planning Policy Statement 5: "Planning for the Historic Environment".

**21f 7 Steadings Yard, Thompson Drive, Strensall, York YO32 5WT
(10/01581/FUL)**

Members considered an application for planning permission to replace an existing external door and window serving a kitchen/living are with wooden framed fully glazed doors and a UPVC window on the rear elevation of the dwelling.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority, the proposal, subject to the conditions listed in the Officer's report, would not cause undue harm to interests of acknowledged importance, with particular reference to the visual impact on the surrounding area and the impact on the amenity of adjacent occupiers. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the Council's 'Guide to Extensions and Alterations to private dwelling houses' Supplementary Planning Guidance.

Cllr K Hyman , Chair
[The meeting started at 2.05 pm and finished at 3.20 pm].