

---

MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	19 JANUARY 2011
PRESENT	COUNCILLORS REID (CHAIR), CRISP, GALVIN, GILLIES, B WATSON, MORLEY, MOORE (AS A SUBSTITUTE FOR CLLR SUNDERLAND) AND BOWGETT (AS A SUBSTITUTE FOR CLLR HORTON)
APOLOGIES	COUNCILLORS HORTON, STEVE GALLOWAY AND SUNDERLAND

---

### 39. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
130 Tudor Road	Councillors Crisp, Gillies, Morley and Reid.	As objections had been received and the officer recommendation was for approval.
Water Works, Landing Lane	Councillors Crisp, Gillies, Morley and Reid.	As objections had been received and the officer recommendation was for approval.

### 40. DECLARATIONS OF INTEREST

At this point in the meeting, Members were invited to declare any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

### 41. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That members of the press and public be excluded from the meeting during consideration of Annex A to agenda item 6 (Enforcement Cases Update) (Minute 45 refers) on the grounds that it contains information that if disclosed to the public, would reveal that the Authority proposes to give, under any enactment or notice by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment. This information is classed as exempt under Paragraphs 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local

**42. MINUTES**

RESOLVED: That the minutes of the meetings of the West and City Centre Planning Sub-Committee held on 18 November and 15 December 2010 be approved and signed by the Chair as a correct record.

**43. PUBLIC PARTICIPATION**

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

**44. 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.

**44a 31 Harlow Road York YO24 4JR (10/01966/FUL)**

Members considered a full application from Mr Ian Graham, for a single storey side and rear extension as a replacement to an existing side extension, after demolition of the existing extension.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the appearance of the dwelling and residential amenity. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

**44b Water Works Landing Lane York (10/02519/FULM)**

Members considered a major full application (13 weeks) from Mr Mark Hewison, for the construction of a water treatment works enclosed within a new building, new substation and new motor control central kiosk.

Officers updated Members on the application. They advised that a response had now been received from British Waterways who confirmed they had no objection to the application. They recommended an alteration to condition 10 to reflect the fact that a site survey had been carried out and AOD data was now available. They circulated a smaller scale (1:1250) plan to Members which showed the nearby residential areas more clearly than the plan which had been included with the agenda papers.

Representations were received from a local resident of Priors Walk, 200m from the site, in objection to the application. He circulated a photograph to Members which showed the view of the site currently and how it would appear if the proposals were approved. He stated that the proposals would create an imposing structure which would be highly visible to those living nearby including residents of Lavender Grove, Prior's Walk and neighbouring streets and would also be seen from the proposed development on the former British Sugar site. He raised concerns that the high buildings may require high level lighting which could cause an increase in light pollution in the area. He also questioned whether the tanks could be placed underground in order to reduce the height of the building by 5m.

Representations were received from the agent in support of the application. He advised Members that the current water treatment works had been in operation for over a 100 years and were out of date and needed to be replaced in order to meet current standards. He stressed that options for the location of the plant were extremely limited. In response to the previous speaker's suggestion to locate the tanks underground in order to reduce the overall height of the building, he explained that this was not possible for operational reasons and explained these reasons to Members. He confirmed that there would be no external lighting except for when maintenance is required.

Members agreed that this was a necessary development noting that the applicant had done as much as possible to reduce the height of the structure and accepted the reasons why the tanks could not be placed underground. They acknowledged that the views would be affected for some residents living nearby but accepted that this was the only place where it could be located.

RESOLVED: That the application be approved subject to the conditions listed in the report and the amended condition below.

Amended Condition 10

The height of the treatment building shall not exceed 22.250m AOD. The height of the silos shall not exceed 24.4m AOD.

Reason: In the interests of the visual amenity of the area in accordance with policy GP1 (Design) of the Local Plan.

REASON: The proposal, subject to the conditions listed in the report and the amended condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, highway considerations, environmental protection, residential amenity, protection against flood risk, nature conservation and drainage. As such the proposal complies with Policies SP3, GP1, GP15, NE2, NE6, NE7 and NE5a of the City of York Development Control Local Plan.

**44c 130 Tudor Road York YO24 3AZ (10/02530/FUL)**

Members considered a full application from Ms Samantha Judd, for a two storey side extension with dormers to the side and rear.

Officers advised the Committee that the a neighbour had objected to the application on the grounds of overlooking by the proposed side dormer window and subsequently the plans had been amended to remove the window from the dormer.

Officers recommended that an additional condition be included to remove permitted development rights for any future conversion of the garage into accommodation as this was the only available cycle parking for the house and would remove access to the rear garden.

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

Additional Condition

Notwithstanding the provisions of Article 3, Schedule 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), no alterations shall be made to the extension to convert the garage to habitable accommodation and the garage shown on the approved plans shall be retained as such so that it can be used for the primary purpose of parking motorised vehicles and bicycles.

Reason: The Local Planning Authority considers that it should exercise control over any future alterations to the garage which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995 to ensure that adequate cycle parking is provided to maintain and promote cycle usage in order to encourage more environmentally friendly means of transport than the car.

Date:20 January 2011

**REASON:** The proposal, subject to the conditions listed in the report and the additional condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the appearance of the dwelling, residential amenity and cycle parking. As such the proposal complies with Policies GP1 and H7 of the City of York Development Control Local Plan and the 'Guide to extensions and alterations to private dwelling houses' Supplementary Planning Guidance.

**44d 18 Jute Road York YO26 5EN (10/02576/FUL)**

Members considered a full application from Mr Dave Nelson for the erection of a single storey pitched roof rear extension to provide a garden room.

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

**REASON:** The proposal, subject to the conditions listed in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the residential amenity of neighbours or the impact upon the streetscene. As such the proposal complies with Policies H7 and GP1 of the City of York Development Control Local Plan and City of York Supplementary Planning Guidance to Householders (Approved March 2001).

**44e 39 St Paul's Square York YO24 4BD (10/02593/FUL)**

Members considered a full application from 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, with alterations to the existing front wall/railing to create access to two parking spaces.

Officers advised Members that the application was identical to the application considered in August 2010 except for the breach in the boundary wall and the creation of two onsite parking spaces enclosed by gates. They stated that a further letter of objection had been received from the occupants of 39 St. Paul's Square objecting to the proposal on the grounds that there would be a loss of on street parking spaces in order to create access for off street parking, that the creation of onsite parking with hard landscaping would harm the character of the conservation area and that the requirement for significant retaining walls to create the parking spaces would be detrimental to the building at no 40. They advised that a letter had also been received from St Paul's Square Association which reiterated their views that the proposals represented overdevelopment of

the site and suggested a smaller dwelling would be more appropriate. They also raised concerns about the aesthetics of the house due to it being detached at the end of a terrace and also about the potential damage that may be caused to foundations on either side.

Representations were received from a local resident representing St Paul's Square Association, in objection to the application. He advised that they had no objections in principal to the design of the building but that it was due to the design approach taken that problems with parking and foundations were evident. He stated that the proposals should be reconsidered and suggested that a more sensible solution would be for a smaller property located at one side of the site which, if set further forward, would allow more room for the provision of parking and a garden at the rear of the site with a driveway down the other side of the site for access.

Representations were received from the architect/agent in support of the application. He reminded Members that the initial application had been refused in August 2010 on the basis that it would result in an increased demand for on-street parking. He stated that he had taken on Members concerns raised and in response to these, the new proposals included two onsite parking spaces enclosed by wrought iron gates to match the railings. With regard to the suggestion put forward by the previous speaker, he advised that creation of a side driveway would require a considerable amount of excavation along the boundary to no 40 and the engineering works would be disproportionate to the result therefore the only option for onsite parking was at the front of the property.

Councillor Moore moved and Councillor Morley seconded a motion to refuse the application on the grounds that there was not sufficient space in which to park and manoeuvre vehicles within the parking area. On being put to the vote, the motion fell.

**RESOLVED:** That the application be approved and delegation be given to officers, in liaison with the Chair and Vice Chair of the Committee, to determine the necessary conditions.

**REASON:** The proposal, subject to conditions, would not cause undue harm to interests of acknowledged importance, with particular reference to:- the principle of the development; sustainability; impact on conservation area; affect on residential amenity; highway safety; flood risk and drainage; and impact on local facilities. As such the proposal complies with Central Government guidance in Planning Policy Statement (PPS) 1: Delivering Sustainable Development, PPS3: Housing, PPS5: Planning for the Historic Environment and PPS25: Development and Flood Risk and policies GP1, GP4A, GP10, GP15A, HE2, HE11, T4, H4A, H5A and L1C of the City of York Development Control Local Plan.

**45. ENFORCEMENT CASES UPDATE**

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

Members thanked officers for their hard work during the last quarter in dealing with enforcement cases.

RESOLVED: That the report be noted.

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

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 4.40 pm].

This page is intentionally left blank