
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	10 FEBRUARY 2011
PRESENT	COUNCILLORS HYMAN (CHAIR), CREGAN (VICE-CHAIR)(EXCEPT MINUTE ITEMS 46B,46C & 46G), DOUGLAS,(EXCEPT MINUTE ITEMS 46A-C & 46G) FIRTH, B WATSON, MOORE, ORRELL(EXCEPT MINUTE ITEM 46G), TAYLOR, KING (SUBSTITUTE FOR COUNCILLOR FUNNELL) AND BROOKS (SUBSTITUTE FOR COUNCILLOR WISEMAN)
APOLOGIES	COUNCILLORS FUNNELL AND WISEMAN

INSPECTION OF SITES

Site	Attended by	Reason for Visit
Sainsbury's (formerly Somerfield), Haxby Shopping Centre, Haxby, York.	Cllrs Brooks, Moore and B Watson	As objections had been received and it had been called in by a Ward Member.
Seven Oaks, Ox Carr Lane, Strensall.	Cllrs Brooks, Moore and B Watson	As objections had been received and the officer recommendation was to approve.
Rhodes Haulage, Grange Farm, Hazelbush Lane, York.	Cllrs Brooks, Moore and B Watson	To familiarise Members with the site.
124 Heslington Lane, York.	Cllrs Brooks, Moore and B Watson	As objections had been received and it had been called in by a Ward Member.

43. 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 Firth declared a personal non prejudicial interest in Agenda Items 4a)b) and c) (Sainsbury's (formerly Somerfield), Haxby Shopping Centre) as the Ward Member who had called in the application for consideration by the Committee.

No other interests were declared.

44. MINUTES

RESOLVED: That the minutes of the meeting of the East Area Planning Sub-Committee held on 6 January 2011 be approved and signed by the Chair as a correct record.

45. 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.

46. 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.

46a Sainsbury's (formerly Somerfield), Haxby Shopping Centre, The Village, Haxby, York (10/01869/FUL)

Members considered a full application from Sainsbury's Supermarkets Ltd for the relocation of rear store entrance, roof plant area with timber screen, canopy to loading bay, 2 no. trolley shelters, ATM to front, rooflights to the front elevation, and external staircase to flat roof at the rear of the building, to the former Somerfield building at Haxby Shopping Centre.

Representations in support of the application were received from the agent for the applicant. She outlined some of the reasons as to why the applicant proposed the alterations. These included;

- Commercial viability
- The need to overcome Anti Social Behaviour around the car park

Additional queries were made as to the position of the rear door and why it could not be placed to open out into the car park. The agent stated that the applicant did not propose for the entrance to be placed to open out into the car park because of the conflict that could be caused between deliveries and customers.

It was reported that the applicant had accepted that there would be a degree of light spillage from the proposed position of the rear door and so had suggested that a screen be installed to diminish this effect.

Members queried the position of the delivery bay which was located in the car park, and raised concerns regarding pedestrian and driver safety.

RESOLVED: That the application be refused.

REASON: It is considered that the proposed new entrance and associated glazed lobby to the rear elevation of the building would constitute an unsympathetic and visually intrusive feature that would be harmful to the visual amenity of the streetscene, and the character and appearance of the conservation area, and would therefore conflict with Policies GP1, HE2, and HE3 of the City of York Council Development Control Local Plan (2005), and national planning guidance relating to design contained within Planning Policy Statement 1 - 'Planning for Sustainable Development', and Planning Policy Statement 5 'Planning for the Historic Environment'.

46b Sainsbury's (formerly Somerfield), Haxby Shopping Centre, The Village, Haxby, York (10/01870/ADV)

Members considered an advert application from Sainsbury's Supermarkets Ltd for the display of a non illuminated fascia sign to front, non illuminated lettering sign to the rear, non illuminated signs at both store entrances, totem sign and various car park signs to the rear at the former Somerfield's building at Haxby Shopping Centre.

The agent for the applicant informed the Committee that the applicant felt that the previous lack of signage gave a sense of anonymity to the store. Members were informed that amendments had been made to the application and the signs would now all be non-illuminated, due to the location of the site in a conservation area.

Some Members queried the reason for the additional placing of an orange border around the proposed ATM and suggested that this might be for branding purposes only. The agent confirmed this assumption.

RESOLVED: That the application be refused.

REASON: (i) The proposed fascia to the front elevation, by virtue of a combination of its scale, appearance, protruding forward of the existing fascia, its proportion in relation to the adjoining signage and setting, and being displayed in a prominent location in the heart of Haxby Conservation Area, would be visually intrusive and result in harm to the visual amenity and character of the host building, the streetscene, and the historic merits of the Haxby Conservation Area, and the setting of the listed building immediately opposite (48 The Village). For these reasons the display of the fascia sign is considered to conflict with Policies GP21, HE2, HE3, and HE8 of the City of York Development Control Local Plan 2005 and national planning advice set out in Planning Policy Guidance

Note 19 "Outdoor Advertisement Control" and Planning Policy Statement 5 'Planning for the Historic Environment'.

- (ii) The proposal, by virtue of the number of signs and their excessive scale, their location and consequent cumulative impact would be unduly prominent and create a cluttered appearance that would be harmful to the visual amenity of the host building, the street scene, and the character and appearance of the conservation area, and the setting of the listed building immediately opposite (48 The Village), and therefore conflicts with Policies HE8, HE2, HE3, and GP21 of the City of York Development Control Local Plan and national planning advice contained within Planning Policy Guidance Note. 19 "Outdoor Advertisement Control" and Planning Policy Statement 5 'Planning for the Historic Environment'.

46c Sainsbury's (formerly Somerfield), Haxby Shopping Centre, Haxby Village, York. (10/02418/FUL)

Members considered a full application from Sainsbury's Supermarkets Ltd for the provision of new external lighting car park comprising 4no. columns in the car park to the rear of the former Somerfield building at Haxby Shopping Centre. The application originally included a proposal to install 2no Belisha beacons within the car park.

A photograph of one of the Belisha beacons proposed next to the pedestrian crossing was circulated amongst Members. This was attached to the agenda after the meeting, and the agenda was subsequently republished online.

Members were informed of the partial retrospective aspect to the application in that only one of the columns for the two proposed beacons was currently in situ. Officers advised Members that the applicant had now withdrawn the proposed Belisha beacons from the application

In response to questions from Members it was reported that the external lighting would face downwards into the car park to reduce spillage and that the lights would be timed to switch off 30 minutes after the store had closed.

Members indicated that they would be happy to approve the application if the second Belisha beacon was not installed, with a condition controlling the hours of illumination of the car park lighting.

RESOLVED: That the application be approved.

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 the appearance of the building, the character and appearance of the conservation area, and the impact on the residential amenity of the occupants of nearby dwellings. As such the proposal complies with Policies GP1, HE2 and HE3 of the City of York Development Control Local Plan.

46d Seven Oaks, Ox Carr Lane, Strensall. YO32 5TD (10/01553/FUL)

Members considered a full application from Mr Peter Ruane for the demolition of an extended chalet style detached house and erection of three, 2 storey 4 bedroomed houses.

In their update, Officers informed Members that condition 11 in their report relating to the maximum height of the houses should be amended thus;

- Plot 1 from 7.4 metres to 7.5 metres
- Plot 2 from 7.6 metres to 7.8 metres
- Plot 3 from 7.4 metres to 7.5 metres

They also stated that the report included an incorrect mention of one tree being felled due to planned construction works, and confirmed that an additional tree would also be lost at the rear of the house. It was noted that these trees are not protected but do provide screening. Officers informed Members that concerns had originally been raised due to the design and impact of the proposed houses but that the current scheme was now deemed to be acceptable.

Members asked Officers that if approved, a condition could be added to require that materials from the demolished buildings be reused on the site. Officers confirmed that this could be a suitable a condition if the application was approved.

Representations in objection to the application were heard from a local resident. His reasons for objection were that;

- He felt that the proposal constituted overdevelopment and that the density would detrimentally affect the openness of the site.
- The proximity of the site to Ox Carr Lane, a Site of Special Scientific Interest.
- That it was not sufficient for the report to say that there was a possibility of bats inhabiting the site without a survey conducted to confirm this.

Representations in support of the application were heard from the architect for the applicant. He stated how the current proposals had been modified following Officers comments and accepted that there was a higher density to the site than previously, but that it was less than some other existing developments in the vicinity.

Representations were received from a representative of Strensall and Towthorpe Parish Council who was of the opinion that the application did not comply with a number of planning policies such as; GP1, GP10, HE1 and PPS25. He highlighted that he was surprised that a drainage plan had not been submitted for the application, and felt that this matter should be addressed at the application stage rather than by condition. He added that he felt the site was not sustainable because it was located some distance away from shops, schools, doctors surgeries and that it was not on a bus route.

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. As such the proposal complies with national planning advice contained within Planning Policy Statement 3 "Housing" and policies GP1, GP4a, GP10, GP15a. NE1, NE6 and L1c of the City of York Draft Local Plan.

46e Rhodes Haulage, Grange Farm, Hazelbush Lane, York YO32 9TR (10/00612/FUL)

Members considered a full application from Mr John Rhodes for a change of use of agricultural land to form an extension to the operating area at Rhodes Haulage yard.

Officers informed Members that the Parish Council had not raised objections to the application but had wished for the portable units on the site to not exceed 1 unit when stacked, if it was approved.

Representations in support were received from the agent to the applicant. He stated that the main focus of the business was as a haulage yard but that temporary storage had always been provided alongside this. He also added that a full transport consultation report identified that the current site did not accommodate all vehicles.

The applicant, who was in attendance, told Members those other sites had not been considered for the extension because of unavailability when the yard was first created. In response to a question of how the bunding on the site would affect the openness of the land, the applicant responded that the bunding would not be visible and that it would appear like woodland.

Some Members felt that the proposal to screen the site could increase the habitat for wildlife. They also felt that there would not be a detriment to the site and that by approving the application, the size of the site would be limited from further expansion. They considered that the expansion would help safeguard the future of the business and the jobs and that the impact on the Green Belt was limited, particularly if screened. In relation to the

height of the portable units, Members suggested that the maximum height be 2 units high when stacked.

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

1 The development shall be begun not later than the expiration of three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing titled Site Plan dated 08/07/2009.
Drawing no: 5566-01 Rev. A - Proposed Site Layout.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding the details submitted with the application, full details of screening and landscaping proposals around the approved area shall be submitted to the Local Planning Authority within 2 months of the date of this permission. These details shall be agreed in writing by the Local Planning Authority and the agreed details implemented in full within 6 months of the date of that agreement unless an alternative timescale for implementation is otherwise agreed in writing by the Local Planning Authority beforehand. This approved scheme shall be retained in full thereafter. Any trees or plants which within a period of five years from the completion of the landscaping scheme 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 ensure that the site is screened, in the interests of the visual amenity of the Green Belt.

4 No portable buildings or containers shall be stored or stacked more than two high on any part of the approved site area.

Reason. In order to protect the visual amenity, openness and character of the Green Belt.

5 Only vehicles related to the business being carried out on the premises shall be serviced, repaired, or parked on the site.

Reason - In order that this development does not further expand to the detriment of the visual amenity of the Green Belt.

6 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being

drained. These details shall be agreed in writing by the Local Planning Authority prior to any new interceptors being installed.

Reason;- To prevent pollution of the water environment.

7 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the largest tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason. To prevent pollution of the water environment.

8 The number of vehicles operated by this business shall at no time exceed 25.

Reason:- In the interests of highway safety and the visual amenity of the Green Belt.

NB: As the application is in the Green Belt it would need to be referred to the Secretary of State before a decision is issued.

REASON: Due to the economic difficulties faced by relocation of the business, and because the site would be well screened.

46f 124 Heslington Lane, York, YO10 4ND (10/02529/FUL)

Members considered a full application from Mr Haydn Kelly for a hipped gable to both sides with dormers to front and rear, on a detached bungalow at 124 Heslington Lane.

Representations in objection to the application were received from a neighbour. She told Members how she felt that the application was detrimental to neighbouring properties because of the difference of the roof height, which if approved, could set a precedent for future planning applications to not respect the symmetrical design of the estate.

Representations in support of the application were received from the applicant. He stated that he wished to extend the property in order to accommodate his growing family. He felt that the application would not detrimentally affect the streetscene and that height of the roof would alter the appearance of the property positively, to make it appear more individual.

Representations were received from a member of Fulford Parish Council. She informed Members that the Parish Council was in objection to the application on the grounds that; there was already a substantial rear extension to the property that could be used as a third bedroom, and that there would be overdevelopment due to the increase in space internally. She informed Members that the existing bungalows on the estate were designed without dormers and that the extended property would unbalance the streetscene and appear incongruous

Councillor Aspden, as Ward Member, spoke about how he felt that the application would be detrimental to the streetscene. He stated that a similar application for a two storey extension in the area had been refused several years ago, and that the proposal would have a similar impact.

Members questioned Officers regarding planning legislation for front and rear dormers, and if the applicant would have to apply for further permission if they wished to turn the property into a House of Multiple Occupation. (HMO)

Officers responded that planning guidance stated that outside conservation areas, rear dormers and side dormers were permitted, along with hipped gable extensions. They also informed Members that the applicant would at present not have to apply for further permission to convert his property into a HMO for between 3 and 6 occupants, but if the Council made an Article 4 Directive in respect of such changes

RESOLVED: That the application be refused.

REASON: The proposed scheme, due to the design and massing of the resultant building, would have a discordant appearance that would not be sympathetic or appropriate to that of neighbouring buildings. It would be incongruous in the street scene when viewed in conjunction with the surrounding properties that have a planned layout and appearance and would not therefore respect the local environment. As such, it would have an adverse affect on the visual amenity of the area, contrary to national guidance on design contained within Planning Policy Statement 1 "Delivering Sustainable Development" (paragraph 34) and policies GP1 and H7 of the Draft City of York Local Plan.

46g Yeomans Yard, Ebor Industrial Estate, Little Hallfield Road, York YO31 7XQ (10/02336/REMM)

Members considered a major reserved matters application from Mr R Yeomans relating to consent for the landscaping part of the proposed development at Yeomans Yard, which was given planning approval in November 2007. Officers informed Members that the applicant had agreed to plant three additional trees as part of the scheme, and that the

recommended conditions had been amended to reflect and incorporate this change.

RESOLVED: That the application be approved.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions in the Officer's report would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and landscape value. As such the proposal complies with Policies GP1 and GP9 of the City of York Development Control Local Plan.

Cllr K Hyman, Chair

[The meeting started at 2.00 pm and finished at 4.25 pm].