
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	16 FEBRUARY 2011
PRESENT	COUNCILLORS HORTON (CHAIR), REID (VICE- CHAIR), STEVE GALLOWAY, GILLIES, SUNDERLAND, B WATSON, MORLEY AND BOWGETT (AS A SUBSTITUTE FOR CLLR CRISP))
APOLOGIES	COUNCILLORS CRISP AND GALVIN
IN ATTENDANCE	COUNCILLOR ALEXANDER

46. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
15 Sherwood Grove	Councillors Gillies, Morley, Reid and B Watson	As objections had been received and the officer recommendation was for approval.
Volunteer Arms, Watson Street	Councillors Gillies, Horton, Morley, Reid and B Watson	As objections had been received and the officer recommendation was for approval.

47. 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.

Councillor Horton declared a personal and prejudicial interest in plans item 4b (15 Sherwood Grove) as the architect, who was present at the meeting to answer questions if required, was a neighbour of his. He stood down from the Chair and left the room for this item and took no part in the debate or vote on this application.

Councillor Bowgett declared a personal and prejudicial interest in plans item 4a (Volunteer Arms, Watson Street) as in her role as Ward Member, she had leafleted residents of her ward raising objections to the application. She left the room for this item and took no part in the debate or vote on this application.

48. MINUTES

RESOLVED: That the minutes of the meeting of the West and City Centre Planning Sub-Committee held on 19 January 2011 be approved and signed by the Chair as a correct record.

49. 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.

50. 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.

50a Volunteer Arms, Watson Street, York, YO24 4BH (10/02730/FUL)

Members considered a full application by Punch Taverns plc for the conversion and two storey side extension of a public house to form two dwellings.

Representations were heard from the landlord of the Swan Pub, Bishopthorpe Road in objection to the application. He explained that he and a business partner had bought the Slip Inn, a pub in a similar position to the Volunteer Arms, a year previously and they had made a success of it, tripling trade and creating three new jobs. He expressed the opinion that the Volunteer Arms had been neglected by the pub company during the past 20 years but that it could be made a success of if taken on by somebody and stated that he would be interested in purchasing it with the hope of running it as a free house. In response to a query from Members he advised that he had approached the pub company to ask for trading figures and had put an offer in writing in respect of purchasing the premises.

Representations were also heard from a local resident, and father of four, in objection to the application. He advised the Committee that he had lived 150 yards away from the premises for 10 years. He stated that the community, although not economically deprived, was socially deprived and although the pub had never served a community purpose, the community needed a community facility. He explained that if permission was granted for housing, residents would lose the opportunity to develop the premises as a community asset which could facilitate the social wealth of the area.

Representations were received from the vicar of St Paul's Church, in objection to the application. He stated that the community of Holgate

needed a community facility and not more flats. He explained that his church was heavily involved in local initiatives, including toddler groups, teenage groups, groups for people with learning disabilities and mental health problems, who all use the church premises and that the Church was also a venue for St Paul's C of E Primary School events as well as hosting music events but that they were limited by the amount of available space. He advised Members that St Paul's Church Council had agreed to seek to buy and renovate the Volunteer Arms to provide a community facility but that as the proposed funding was coming from a charitable trust, permission had to be obtained first to use these funds.

Further representations in objection to the application were heard from the Head of St Paul's C of E Primary School. He stated that the school had close links with the Church and confirmed that they used the Church for some school events but explained that the building was not always available as it was used by other groups as well. He explained that his school has 175 children on roll and was oversubscribed year on year. He stated that when the Locomotive public house was offered for sale they had looked at the possibility of purchasing it to create extra space for the school. He expressed the opinion that further residential development would not benefit the area, which already had an extensive range of housing but that the area would benefit from further community provision.

Representations, in favour of the application, were received from the agent. He stated that they had explored the options for turning the business around and that the pub had been marketed through three different agents resulting in no acceptable offers. He advised the Committee that the Crystal Palace and Fox public houses were both close by with other public houses on the south-west fringe of the city centre within a short walking distance and therefore the application would not conflict with Policy L1b, part a of the Local Plan. He noted the objections raised by St Paul's Church, St Paul's C of E Primary School and local residents but urged the Committee to approve the application in front of them.

Councillor Alexander spoke in objection to the application. He spoke firstly on behalf of residents of his ward and explained that he and other ward councillors had carried out a consultation with residents of his ward. He advised that there was no great support for the pub to remain but that he was also opposed to high density housing. He noted the plans expressed by earlier speakers and confirmed that ward councillors would support plans for a community facility. Secondly he spoke on behalf of CAMRA (Campaign for Real Ale) who had advised that they would prefer the premises to remain open as a public house, but if this was not possible, they would like the beer pumps to remain within the new facility.

Members were reminded that the application in front of them was from the owner of the property for conversion into two dwellings and not from the Church, for a potential new community facility, or from a potential new landlord. Officers confirmed that the applicant would only be required to provide business/marketing evidence to support the argument that the building was no longer viable as a public house if there were not adequate alternative facilities, (ie another public house) within the required distance.

They reminded Members that, despite the recent closure of the Locomotive PH, there were other alternative facilities (The Crystal Palace and The Fox) in the locality, therefore the application was in accordance with Policy L1b. They stressed that if Members chose to refuse the application they would need to establish that it did not comply with this policy.

Members acknowledged that St Paul's Primary School had issues over space and noted the Church's views and aspirations for creating a community facility on the premises. However, in light of officers' advice, some members agreed there were not sufficient grounds to refuse the application and Councillor Gillies moved, and Councillor Horton seconded, a motion to approve the application. On being put to the vote, the motion fell.

Members expressed concern that if the pub was to close, this would have a negative impact on what was a unique and self contained community and would result in the loss of a publicly accessible community leisure facility. They also raised concerns that it may have not been easy for interested parties to follow up on offers on the premises and that it would be beneficial to keep options open.

RESOLVED: That the application be refused.

REASON: The proposed development would result in the loss of a publicly accessible community leisure facility in the local area.

50b 15 Sherwood Grove, York, YO26 5RD (10/02740/OUT)

Members considered an outline application by Mr G Villis for a detached dwelling and two new garages.

Representations were received from a neighbour in objection to the application. He raised objections to the siting of the property, stating that 90 percent of the proposed building would be behind the rear building line of the existing property and therefore this did not respect the spirit of policy GP10 of the Draft Local Plan (Subdivision of gardens and infill devt) and would lead to a reduction in privacy of the residential back garden. He also raised concerns regarding problems with the drainage system in Sherwood Grove and suggested that an additional property could exacerbate this problem. Furthermore, he stated that Sherwood Grove was a narrow road and therefore an extra driveway could create an additional hazard in terms of road safety .

Members noted that the application had been called into Committee on the basis of concerns over highway safety but that Highways officers had raised no objections to the application. They considered whether one extra driveway on the road would cause an increased risk to highway safety and noted that further details of the driveway would be submitted at the reserved matters stage in the application process.

Members were advised that the development could be deemed acceptable even though it was within the garden of an existing property, as long as it was within the development limits of the area and Members did not consider it to be overdevelopment. Members agreed that the site was small but the plans showed there was sufficient space for the proposed building.

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 residential amenity, highway safety, drainage and sustainability. As such the proposal complies with Policies GP1, GP10 and H4a of the City of York Development Control Local Plan and the aims of Planning Policy Statement 1 'Planning for Sustainable Development' and Planning Policy Statement 3 'Housing'.

**50c Decorative Plaster, 136 Boroughbridge Road, York, YO26 6AL
(10/02524/FUL)**

Members considered a full application by Mr Michael Beaufoy for the conversion of the first floor flat and roof space to create two flats with a first floor rear extension to comprise a self contained office, new pitched roof to the existing side extension, rear dormer and conservatory and external alterations including a new shop front and rear windows (resubmission)(retrospective).

Representations in support of the application were received from the applicant. He apologised to Members for the fact he had started work without the necessary permission explaining that this was due to his builders being able to commence work. He circulated a picture board showing photographs of the building. He explained that the main reason for creating an additional flat was to supplement funding for his business which supports and promotes highly qualified tradesmen who have found difficulties in finding work. He stated his intentions were to improve parking arrangements on this site if the application was granted and in the longer term he hoped to purchase further properties along the parade with the aim of improving the built environment of the area.

Members agreed that the photographs were useful in order to remind them how the building looked before work commenced and expressed appreciation at the apology received. They noted that access arrangements had been resolved with access through the adjacent property withdrawn and the introduction of a corridor link separate to the showroom so residents could access to the amenity space at the rear of the site, with the bin and cycle store being incorporated into the building.

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 availability of on-site car and cycle parking space, impact upon available amenity space for occupiers of the proposed properties and impact upon the residential amenity of nearby properties. As such the proposal complies with Policies GP1, H8 and T4 of the City of York Development Control Local Plan.

Councillor D Horton, Chair

[The meeting started at 3.00 pm and finished at 4.10 pm].