

MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	19 JULY 2007
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY (VICE-CHAIR), HORTON, GALVIN, REID, GILLIES, GUNNELL, JAMIESON- BALL AND SUNDERLAND

11. INSPECTION OF SITES

The following sites were inspected before the meeting.

Site	Attended by	Reason for Visit
Lidgett Grove School	Cllrs B Watson, Gunnell, Horton, Reid and Gillies.	As the application is recommended for approval and objections have been received
The Bay Horse, Marygate	Cllrs B Watson, Gunnell, Horton, Reid and Gillies	As the application is recommended for approval and objections have been received

12. DECLARATIONS OF INTEREST

At this point in the meeting Members were asked to declare any personal or prejudicial interests they might have in the business on the agenda. None were declared.

13. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded from the meeting during consideration of the annexes to agenda item 5 (Enforcement Cases Update) on the grounds that they contain information classed as exempt under paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. This information, if disclosed to the public would reveal that the authority proposes to give, under any enactment, a notice under or by virtue of which requirements are imposed on a person or that the Authority proposes to make an order or directive under any enactment.

14. 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.

15. 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.

15a 22 Bewlay Street (07/01252/FUL)

Members considered a full application submitted by Mr D Wills for a pitched roof dormer to the rear of 22 Bewlay Street following demolition of the existing unauthorised dormer.

Officers updated that an additional objection had been received from a resident of Richardson Street. Their objection was on the grounds of privacy and they felt that the design would not be in keeping with the character of the Victorian houses in Richardson Street and Bewlay Street.

Representations were received in objection from a local resident who said that this application for a dormer was higher than the previous application and one of the grounds on which this was turned down originally was due to the height of the proposed structure. She said that the dormer would overlook her bedroom, study and dining room and would be very intrusive. She also commented that the Planning Inspector had remarked upon the retention of integrity of design and appearance in terraced streets.

Representations were received from the Applicant who said that the Planning Officer had recommended approval and the Planning Inspector had said that privacy was not an issue in this case. He said that he was reducing the width of the dormer by more than 50%.

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

REASON: The proposal, subject to the conditions listed in the report, would not cause undue harm to interest of acknowledged importance, with particular reference to the character of the area or residential amenity. As such the proposal complies with Policy H7 of the City of York Local Plan Deposit Draft.

15b The Bay Horse, Marygate (07/00910/FUL)

Members considered a full application submitted by Wolverhampton and Dudley Breweries Plc for the conversion of the existing public house into 4 offices at ground floor level and 4 apartments to the first floor.

Officers updated that a letter had been received from a previous licensee of the Bay Horse which raised the following points:

- A lot of offices in the centre of York have been empty for years
- The building would be better used as a quality hotel with first floor restaurant overlooking the museum gardens
- The magnificent function room ceiling would then be on view for all to enjoy
- In previous years the public house made a good profit and could once again become a thriving business

Members asked the Applicant, who was in attendance to answer questions, whether the ceiling on the first floor would remain intact and she responded yes. The partitions in that particular apartment were really screens that did not actually touch the ceiling but were high enough to afford ample privacy.

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

REASON: The proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:

- Loss of public house/function room
- Acceptability of proposed uses
- Impact on listed building and character and appearance of conservation area
- Flood risk
- Highway and parking issues
- Residential amenity

As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies L1b, H4a, E4 and HE3 of the City of York Local Plan Deposit Draft.

15c The Bay Horse Marygate (07/001053/LBC)

Members considered a Listed Building Consent application submitted by Wolverhampton and Dudley Breweries Plc for internal and external alterations in connection with conversion of existing public houses into 4 offices at ground level and 4 apartments to the first floor.

Members asked that the carved wooden sign above the main door be retained.

RESOLVED: That the application be approved subject to the conditions outlined in the report and the following additional condition:

- Notwithstanding the submitted drawings, the existing "Bay Horse" sign mounted above the front door of the premises shall be retained in its present location on the building.

Reason: In order to protect the historic character and identity of the listed building

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 special architectural and historic interest of the building. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policy HE4 of the City of York Local Plan Deposit Draft.

15d Lidgett Grove School - Residential Development (07/01120/FULM)

Members considered a Major Reserved Matters Application submitted by CALA Management Limited for the approval of reserved matters for the erection of 16no. two storey dwellings, including associated detached garages and 3no. three storey dwellings with integral garages.

Officers updated that two revised plans had been received which switched the living room to the front elevation of the 3 storey house and amended the footpath at the rear of plot 19. Comments had been received from the Police Architectural Liaison Officer and these were as follows:

- Would not normally favour the 'snicket'
- Two security gates would be required rather than the one proposed
- There are other unsecured access points on the site

The following comments had been received from Highway Network Management:

- Parking provision was short by one visitor space
- Additional conditions were required (cycle parking, use of garage for parking of cars be agreed)

An e-mail had been received from Councillor Simpson-Laing and was circulated at the meeting. The main points in this document were:

- The design layout means that the site is very visible when walking down Ouseburn Avenue and Lidgett Grove
- The original outline application was for 14 to 18 dwellings, which equates to a density of between 30 & 40 dwellings per hectare. This application has increased to 19 units with a number of properties now being 3 Storey (Farlington House Type). This raised concerns over loss of privacy in nearby gardens.

- Condition 5 of the outline application restricted the building height to 8.8m.
- The design goes against 4.2 Policy GP1 'Design of the City of York Local Plan Deposit Draft' due to 'density, layout, scale, mass and design not being compatible with neighbouring buildings and spaces.'
- There is not enough parking provided

Members asked that a lighting condition be included and Officers said that they would make an amendment to one of the Highways conditions to incorporate this. It was noted that as the road was unadopted it would be the Management Company for the development that would be responsible for lighting.

Representations, in objection, were received from a local resident who spoke on behalf of herself and other residents. She said that they were broadly in support of residential development but very opposed to any 3 storey dwellings being built on this site. In the Committee Report dated 21 April 2005 the Acomb Planning Panel had commented that 'development must not be higher than 2 storeys to merge with the existing residential area.' There is no precedent for 3 storey houses in the Beckfield Lane area. She felt that the density of the site was excessive and this would damage the existing amenities of all properties surrounding it. If the 3 storey dwellings were built then there would be a problem with 12 overlooking windows. There would also be an increase in traffic from the single access road. She suggested that if the 3 storey dwellings were built then they should be moved to plots 2, 3 and 4 of the proposed development.

Representations were received from the Applicants who said that they had changed the layout of some of the plots to appease some of the residents' concerns regarding overlooking.

Members discussed the application and felt that the 3 storey dwellings were too imposing in the situation that the Applicants proposed. They felt that there was a possibility to move them to plots 2, 3 and 4 on the site. Some Members felt that it had been made clear in the outline application that the height restriction was 8.8m and thus they would prefer to see the proposed 3 storey dwellings removed altogether.

Members were happy with the proposed arrangements for security gating.

RESOLVED: That the application be deferred.

REASON: To seek the removal or relocation of the proposed 3 storey dwellings.

16. 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.

RESOLVED: That the reports be noted.

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

COUNCILLOR B WATSON

CHAIR

The meeting started at 3.00 pm and finished at 4.50 pm.