
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	30 AUGUST 2007
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FUNNELL, HYMAN, KING, MORLEY (SUB FOR CLLR FIRTH), TAYLOR (NOT IN ATTENDANCE FOR AGENDA ITEM 4A) AND WISEMAN
APOLOGIES	COUNCILLOR FIRTH

26. DECLARATIONS OF INTEREST

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

27. INSPECTION OF SITE

The following site was inspected before the meeting:

Site	Attended by	Reason for Visit
78 Penyghent Avenue, York	Cllrs Douglas, Funnel, Hyman Moore, Taylor and Wiseman	To familiarise Members with the site and its relationship to neighbouring properties.

28. MINUTES

RESOLVED: That the minutes of the Sub-Committee meeting held on 26 July 2007 be approved and signed by the Chair as a correct record.

29. CHAIRS REMARKS

The Chair asked Members to confirm that they had no objections to the attendance of Freddie, a guide dog in training at the meeting. Freddie was accompanied by his trainer Councillor Douglas.

30. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

31. 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.

31a. 78 Penyghent Avenue, York (07/01603/FUL)

Members considered a full application, submitted by Mr A Mountain, for the erection of a conservatory to the rear of 78 Penyghent Avenue, York.

Reference was made to concerns expressed by the neighbour from possible loss of light and Officers displayed a sun path chart which showed that there would be a very small loss of light towards the end of the day which it was felt would have very little effect on the property. It was also confirmed that the conservatory roof would be low, hipped and sloped away from the neighbour's boundary.

Officers referred to the report at 4.8 in the fifth paragraph and stated that an amendment was required to omit the word "directly" so the sentence read, "A covenant is a legal issue and is not relevant to the consideration of the application". They confirmed that a covenant was a civil matter and therefore was not relevant to the application.

Cllr Hyman referred to the site visit the previous day and stated that he now had no objections to the application other than in relation to the opening windows onto the boundary of No 80. He requested that the top lights should be non-opening to prevent any nuisance being caused to neighbours.

RESOLVED: That approval be granted subject to the conditions listed in the report and the addition of the following condition:

1. The windows to be inserted in the side (south) elevation of the conservatory facing 80 Penyghent Avenue shall be non-opening and shall be thus maintained.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, the proposed first floor extension 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 street scene. As such the proposal complies with Policies H7 and GP1 of the City of York Local Plan Deposit Draft.

31b. Acres House Farm, Naburn Lane, Fulford (07/01646/GRG3)

Members considered a full application, submitted by the City of York Council, for the construction of a vehicle access from Naburn Lane.

Officers updated Members and circulated a sheet, which detailed amendments to suggested conditions. The first related to an amended plan which had now been received showing all the land, which was required for the access road. The second change referred to the addition of the words "Notwithstanding the submitted details" and the third change was to Condition 8 to ensure that prior to commencement of the development a scheme should be submitted to and agreed in writing by the Local Planning Authority.

Officers also confirmed that the hedge along Naburn Lane was in the ownership of the Council, as Highway Authority who would be responsible for the replacement of new hedging should any die or be removed. They also confirmed that the total area of agricultural land to be lost by the construction work represented 0.8% of the total holding of Naburn Lodge Farm.

RESOLVED: That the application be approved subject to the conditions listed in the report and the imposition of the following amended conditions:

i) Condition 2 (Plans): The development hereby permitted shall be carried out only in accordance with the following plans: -

Drawing no. HE/DEC/07010/151-102 Rev.A 'Proposed Access onto B1222' dated 22/08/07 July 2007 and received 22 August 2007;

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

ii) Condition 6 (Access Road): Notwithstanding the submitted details, the access road, including edge restraint, shall be constructed a minimum of 2.5m from the base of the hedge along Naburn Lane and along the northern boundary of the field.

iii) Condition 8 (Hedge planting): Prior to the commencement of development, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the planting of native hedgerow to fill gaps in the full length of the hedge along the site frontage with Naburn Lane, to the following specification: Staggered, double row, 60cm to 90cm high plants, 30cm spacing between plants. Composed of 60% hawthorn, 20% blackthorn and the remaining percentage made up of the following: Dog Rose, Dogwood, Hazel, Field Maple, Holly, Guelder Rose.

The hedging shall be planted before the end of the next tree planting season (November-March) following the completion of the development in a location suitable for the growth of the hedge/trees.

Any new hedging that within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to the purpose and openness of the Green Belt, agricultural land, hedgerow and highway safety. As such the proposal complies with Planning Policy Guidance Note 2: Green Belts, Planning Policy Statement 9: Biodiversity and Geological Conservation and Policies GP1, GP14, NE1, GB1 of the City of York Draft Local Plan.

31c. Bootham Junior School, Rawcliffe Lane (07/01605/GRG3)

Members considered a full application, submitted by Bootham School, for the construction of an outdoor play area.

Officers updated that the recommendation should read "Approval" at paragraph 6.0, page 26 of the report. They also confirmed that the problem of security and possible anti social behaviour arising from the development had been raised with Bootham School. The school had confirmed that approximately 2 years ago similar problems had arisen and a 2.4m anti-intruder fence had been erected on the eastern boundary of the site, this had dramatically reduced problems on site. They also confirmed that they had in house security who conducted random visits to the site and they felt that these combined measures would be sufficient to control any problems that arose in the future.

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

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed, would not cause undue harm to interests of acknowledged importance, with particular reference to design and impact on residential amenity. As such the proposal complies with Policy GP1 of the City of York Local Plan Deposit Draft.

**32. HOWARD SMITH, ASSISTANT AREA TEAM LEADER,
CITY STRATEGY**

The Chair reported that this was the last meeting of the East Area Planning Sub-Committee to be attended by Howard Smith, Development Control Officer, prior to his move to Exeter.

On behalf of Members past and present, the Chair expressed his thanks for Howard's work for the Sub-Committee and wished him well in his new post.

CLLR R MOORE, Chair

The meeting started at 2.00 pm and finished at 2.20 pm.

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