
MEETING	WEST & CITY CENTRE AREA PLANNING SUB-COMMITTEE
DATE	20 SEPTEMBER 2007
PRESENT	COUNCILLORS B WATSON (CHAIR), SUE GALLOWAY (VICE-CHAIR), HORTON, GALVIN, REID, GILLIES, GUNNELL, SUNDERLAND AND HOLVEY (SUBSTITUTE)
APOLOGIES	COUNCILLORS JAMIESON-BALL

31. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
34 Grantham Drive	Cllrs B Watson, Gillies, Galvin, Gunnell, Horton Sunderland and Reid	Objections have been received, and the application is recommended for approval
11 Slingsby Grove	Cllrs B Watson, Gillies, Galvin, Gunnell, Horton Sunderland and Reid	Objections have been received, and the application is recommended for approval
The Lowther Public House	Cllrs B Watson, Gillies, Galvin, Gunnell and Horton	Objections have been received, and the application is recommended for approval

32. DECLARATIONS OF INTEREST

At this point Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda.

Cllr Horton declared a personal and prejudicial interest in Agenda Items 4(g) and 4(h), 4, Ogleforth York (minute 35 g & h refers) as the agent for the applicant is known to him, and left the room and took no part in the discussion or the decision thereon for both items.

Cllr Reid declared an interest under the provisions of the Planning Code of Good Practice, in Agenda Item 4(d), The Lowther 8 Cumberland Street York (minute 35 d refers), as she had deemed to have pre-judged the

issue as she had sat on the panel of a Licensing Hearing connected with this matter. She left the room and took no part in the discussion or the decision thereon.

33. MINUTES

RESOLVED : That the minutes of the meetings held on 16 August 2007 and 28 August 2007 be approved and signed by the Chair as a correct record, subject to the following amendment:

That minute 28 of the minutes of the meeting of 28 August 2007 be amended as Cllr Horton did not attend the site visit for 42 Monkgate.

34. 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.

35. 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.

35a 11 Slingsby Grove, York (07/01628/FUL)

Members considered a full application, submitted by Mr Kevin Marsden, for the erection of a two storey detached dwelling to side.

Officers updated that two additional letters of objection had been received, raising issues regarding "garden grabbing", the cost of the proposed dwelling and that it does not meet affordable housing issues, the area at the end of Slingsby Grove is a flood area, concerns about the design and there being no rendered elements, loss of light and overlooking from the dormer window. They also updated regarding the size of the proposed development and the proposed dormer window.

Representations were received in objection to the proposals from two local residents. They raised issues regarding the design not being in keeping with other properties in the area, the proposed dormer at the front of the property, impact on privacy of residents, width of the driveway, materials proposed to be used, and that the proposal is not in accordance with planning policies.

Representations were received in objection to the proposals from Dringhouses and Woodthorpe Planning Panel, stating that the proposal is more than two storey and has a higher roofline than other houses in the area, it dominates a dwelling on Tadcaster Road, there would be minimal

residential amenity, no cycle or bin storage, and it would affect the character of the road.

Members discussed the size of the proposed dwelling, materials proposed to be used, lack of amenity space, the dormer window, and design.

RESOLVED : That the application be refused.

REASON : (i) The proposed two storey detached dwelling by virtue of its overall size, height, site coverage and design is considered to be out of character with surrounding properties and would therefore harm the appearance of the street scene, contrary to Policies GP1 and H4a of the City of York Development Control Draft Local Plan.

(ii) The proposed front dormer would result in unacceptable overlooking of nearby residential properties, contrary to Policy GP1 of the City of York Development Control Draft Local Plan.

35b 34 Grantham Drive, York (07/01897/FUL)

Members considered a full application, submitted by Mr Nick Squire, for the erection of a detached dwelling with dormer window (amended house type).

Officers updated that additional comments had been received, stating that the new plans should show what was previously agreed, that the dormer on the plans is smaller than the existing, that the window will look directly into a neighbouring landing window, and concerns regarding the overall height of the proposals. Officers also updated that the porch would be permitted under Permitted Development Rights.

Representations were received in objection from a neighbour, stating that what has been built is not as per the plans, including the dormer window, there would be overlooking, and raising concerns about the height of the building.

Members discussed the height, the dormer window, the house and it fitting it in with the character of the area, overlooking issues, and the size.

RESOLVED : That the application be refused.

REASON : (i) The proposed detached dwelling by virtue of the height of the roof and the size of the dormer window is considered to be out of scale and character with surrounding properties and would therefore harm the appearance of the surrounding street scene, contrary to Policies GP1 and H4a of the City of York Development Control Draft Local Plan.

(ii) The proposed side dormer would result in unacceptable overlooking of the adjacent residential property and is contrary to Policy GP1 and GP4a of the City of York Development Control Draft Local Plan.

35c 34 Grantham Drive, York (07/01712/FUL)

Members considered a full application, submitted by Mr Nick Squire, for new rooflight windows to the rear of plot two.

Representations were received in objection from a neighbour, stating that the plans shows no windows and windows are in place.

Members discussed the dormer windows, rooflights, and overlooking issues.

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

RESOLVED : The proposal, subject to the condition outlined in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to neighbouring amenity. As such the proposal complies with policies GP1 and H7 of the City of York Development Control Draft Local Plan.

35d The Lowther, 8 Cumberland Street, York (07/01756/FUL)

Members considered a full application, submitted by Mr S Binns, for an outside seating area on Kings Staith for use by The Lowther Public House and Plonkers Wine Bar (resubmission).

Officers updated that a letter had been received from the Boating Association withdrawing their objections, and a sample of the plastic glass to be used was shown to Members. Officers updated that if Members were minded to approve the application they would recommend the following additional/amended conditions; temporary consent be given for the period of one year, the gap from the chain to the river wall edge be 3 metres, and that the site be cleared by 21:00 hours.

Representations were received in objection to the application from a local resident, raising issues regarding noise and the effect of the proposals on the historic centre of the city, including the riverside walk and listed buildings.

Representations were received in support of the application by the agent for the applicant. He stated that significant changes had been made since the earlier application was refused, that the application has restrictive conditions, and detailed the arrangements for the ordering and serving of drinks. He stated that there had been no objections from statutory consultees.

Members discussed noise, usage of the outside area, furniture and seating arrangements, and arrangements for ordering and serving drinks.

RESOLVED : That the application be approved subject to the conditions and informatives outlined 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 character and appearance of the conservation area, vitality and viability of the city centre, amenity and safety. As such the proposal complies with Policy E4 of the North Yorkshire County Structure Plan (Alteration No.3 adopted 1995); Policies HE3 and S6 of the City of York Local Plan Development Control Local Plan – incorporating the Proposed 4th Set of Changes (2005); and national planning guidance contained in Planning Policy Statement 6 “Planning for Town Centres”, Planning Policy Guidance Note No.15 “Planning and the Historic Environment”.

35e 46 Hobgate, York (07/01914/FUL)

Members considered a full application, submitted by Ian and Mary Macbeth, for the erection of a new dwelling after demolition of existing (amendment to planning permission 07/00121/FUL).

Officers updated that there had been objections received regarding the side facing bathroom windows and the position of the rooflight at the front.

Members discussed the position of the rooflight.

RESOLVED : That the application be approved subject to the conditions and informatives detailed in the report.

REASON : The proposal, subject to the conditions outlined in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to the residential amenity of the neighbours, and the visual amenity of the dwelling and the locality. As such the proposal complies with Policies GP1 and H4a of the City of York Development Control Local Plan (2005).

35f Lidgett Grove School, Wheatlands Grove, York (07/01120/REMM)

Members considered a major reserved matters application, submitted by CALA Management Ltd, for the approval of reserved matters for the erection of 16 two storey dwellings including associated detached garages and 3 three storey dwellings with integral garages.

Officers updated that two further objections had been received regarding the revised plans. An e-mail from Cllr Simpson-Laing, Ward Councillor, on behalf of local residents, was distributed to Members, detailing concerns regarding the height of the proposed dwellings, density of dwellings, the

proposed lockable gate, consultation with the Minister of the Methodist Church on Wheatlands, and that the proposal is not against planning policy.

Representations were received in objection to the application from a local resident. She raised issues regarding the proposed three-storey dwellings, that the revised proposals are not compatible with the local area nor sympathetic towards the present population, the proposed lockable gate and increased traffic.

Members discussed the proposed lockable gate, and consultation with residents on this issue.

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

Members also requested that the applicants consult with the occupiers of 13 and 15 Lidgett Grove prior to submitting details in respect of condition no.7, regarding the lockable gate to Lidgett Grove.

REASON : (i) The proposal, subject to the conditions outline din the report, would not cause undue harm to interests of acknowledged importance, with particular reference to visual and residential amenity. As such the proposal complies with PPG 3 and Policies GP1, H4 and T4 of the City of York Development Control Draft Local Plan.

35g 4 Ogleforth, York (06/02042/FULM)

Members considered a major full application, submitted by House & Son Ltd, for the conversion, part demolition and extension of vacant warehousing and offices to form 12 apartments with associated parking.

Officers updated that if Members were minded to approve the application the condition with plans details would be amended to include the details of the revised plans.

Representations were received in support of the application from the agent for the applicant. He stated that the application was a viable scheme and the comments of the City of York Council Conservation Officer had been taken into account.

Members discussed the revised scheme, the Conservation Officer's comments and the new window arrangements.

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

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

Drawing no. 05:38:23 Rev D received on 2 August 2007 (Proposed floor

plans)

Drawing no. 05:38:24 Rev C received on 2 August 2007 (Proposed floor plans)

Drawing no. 05:38:25 Rev:D (Proposed Elevations)

Drawing no. 05:38:30 received on 20 March 2007 (Proposed section)

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

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

REASON : The proposal, subject to the conditions outlined in the report and the amended condition above, would not cause undue harm to interests of acknowledged importance, with particular reference to the principle of residential conversion/loss of employment site, effect on character and appearance of the conservation area, effect on neighbouring properties, living conditions of future occupiers, and highway and parking issues. As such the proposal complies with policies E4 and H9 of the North Yorkshire County Structure Plan (Alteration N0.3 adopted 1995) and Policies H4, E3, H12 and HE2 of the City of York Local Plan Deposit Draft.

35h 4 Ogleforth, York (06/02052/LBC)

Members considered a listed building consent application, submitted by House And Sons Ltd, for the conversion, part demolition and extension of vacant warehousing and offices to form 12 apartments.

Officers updated that if Members were minded to approve the application they would recommend an additional condition relating to an illustrated recording of the building to be demolished.

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

An illustrated recording of that part of the building to be demolished (the addition of 1892 – 1909) shall be carried out in accordance with the recommendations of the “Descriptive Assessment” of the buildings (Colin Briden 2006) following the approval of a specification to be submitted in writing to the Local Planning Authority.

Three copies of the document shall then be submitted to the Local Planning Authority prior to the commencement of any development on the site.

Reason : To ensure that a record of the building is made and retained in accordance with advice

contained in PPG 15 (Planning and the Historic Environment)

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 impact on the special architectural and historic character of the listed 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.

36. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT UNDER THE LOCAL GOVERNMENT ACT 1972

COUNCILLOR B WATSON
CHAIR

The meeting started at 3.00 pm and finished at 5.20 pm.