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Meeting	Area Planning Sub-Committee
Date	9 July 2015
Present	Councillors Galvin (Chair), Shepherd (Vice-Chair), Carr, Craghill, Derbyshire, Gillies, Hunter, Looker, Mercer and Orrell
Apologies	Councillors S Barnes

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Site Visited	Visited by	Reason for visit
292 Tadcaster Road	Councillors Carr, Galvin, Gillies, Hunter, Mercer, Orrell and Shepherd.	At the request of Councillor Reid

## 5. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests not included on the Register of Interests, that they might have in the business on the agenda. No interests were declared.

## 6. Minutes

Resolved: That the minutes of the meeting of the Area Planning Sub Committee held on 11 June 2015 be signed and approved by the Chair as a correct record subject to Minute 4j (8 Pinewood Hill, York) being amended to state that Councillor Carr moved the motion to refuse the application and that Councillor Craghill seconded this.

## 7. 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.

## **8. Plans List**

Members considered a schedule of reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications outlining the proposals and relevant policy considerations and setting out the views of consultees and Officers.

### **8a) Omnicom Engineering, 292 Tadcaster Road, York, YO24 1ET (14/02421/FUL)**

Members considered a full application from Mr and Mrs Forsyth for two storey side and rear extensions, single storey rear extension and detached annexe to rear.

Officers provided an update to the committee. They advised that three letters of objection had been received from neighbouring residents which raised the following issues:

- Generally supports the scheme and the change of use.
- Some concerns in connection with the revised design of the annex
- The increase in eaves height of the annex will make the building more imposing and result in the loss of a view.
- The annex would result in the loss of possible access to an existing telecom pole.
- The addition of the two roof lights and window to the rear gable end may result in the loss of privacy.
- The two storey side extension comes very close to the property.
- The ground level at 292 Tadcaster Road is higher and as such is acting as a retaining wall.
- New foundations for the extension would be very close to the boundary and could affect the foundations of the apartment.

Officers advised that the applicant's agent had also submitted three letters of support that they have received from neighbouring residents which raised the following points:

- The way the architect has designed and proposed this development without spoiling its facade is fantastic and is to be applauded
- we strongly support the application and the principle of 292 being returned into a fine family home , enhancing the neighbourhood
- a sympathetic and tasteful restoration, bringing a dowdy former office into a grand Villa as it would have been when originally built
- The transformation from Commercial to a Period feature family home will be an asset to the neighbourhood as it stands proud and faces east across the Knavesmire.

Officers advised the committee that their main concern was the impact of the side extension which it was considered would harm the character and appearance of the conservation area and the special interest of the listed building.

Ms Janet O'Neill, the applicant's agent, addressed the committee in support of the both the full and listed building consent applications. She circulated a document to members which showed photographs and plans of the proposals which she explained in detail. She stated that the proposals were the best option for bringing the historic building back into active use while retaining the most important features of the building. She advised that neighbours were supportive of restoration of the building to a family home and that the only point of issue was the narrow two storey side extension which she explained would be set back and hidden by trees. In respect of the National Planning Policy Framework 2012 (NPPF) test, officers had not advised that substantial harm would occur, therefore any harm must be weighed against the public benefit.

Members questioned the necessity of the side extension and asked whether it would be possible to reconfigure the internal layout so that there would not be a need for the side extension. The agent explained that this side extension allowed for ensuite bathrooms without having to make the bedrooms L shaped to allow space for bathrooms. This option would best preserve the historic proportions of the house and enable the house to retain its square shaped rooms as when it was built.

Officers advised the committee that the starting point for consideration of the application was the Planning (Listed

Buildings and Conservation Areas) Act rather than the NPPF, and that balancing the NPPF followed on from the Act. While the conservation officer had determined that it constituted less than substantial harm, this still had to be clearly weighed against the public benefit of the proposals and Members must consider whether the proposals were necessary and whether they outweighed the harm to the conservation area and listed building.

Some members felt that, while the proposed side extension was not ideal, any harm was outweighed by the resulting restoration of the building to a family home. Councillor Carr moved and Councillor Gillies seconded a motion to approve the application. On being put to the vote, this motion was lost.

Other members, while welcoming many aspects of the proposals, felt that the side extension was out of place and would cause harm to the listed building and the street scene and would have a detrimental effect on the conservation area. They did not agree that the harm was outweighed by bringing the building back in active use as a family home and noted that the application could be resubmitted without the side extension if the applicants wished.

Resolved: That the application be refused.

Reason It is considered that the proposed two storey side extension, by reason of its roof design and blank side elevation, would constitute a discordant addition which would appear at odds with the design of this attractive detached dwelling. It is further considered that the extension would infill an important gap between the host dwelling and the neighbours property and would have a detrimental impact upon the street scene and the character and appearance of the Tadcaster Road Conservation Area. It is considered therefore that the two storey side extension fails to accord with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act and conflicts with national guidance on good design in the NPPF, Policy H7 (criterion a and e), HE2 and HE3 of the 2005 City of York draft Development Control Local Plan.

**8b) Omnicom Engineering, 292 Tadcaster Road, York, YO24 1ET (14/02422/LBC)**

Members considered an application for listed building consent from Mr and Mrs Forsyth for two storey side and rear extensions, a single storey rear extension and detached annexe to the rear, new roof lights to the rear and internal alterations.

Members considered this application alongside the full application. The officer's update and discussion on this application is detailed at minute 8a.

Resolved: That the application be refused.

Reason: It is considered that the proposed two storey side extension would result in the loss of an original window and would present a blank elevation which detracts from the architectural design of this elevation and the listed building as a whole. Furthermore, the extension would result in the unacceptable loss of the open space between the application site and the neighbouring property at 290 Tadcaster Road which in turn would have a harmful impact upon the setting of the listed building. The proposal would therefore harm the significance of the listed building and would fail to preserve the character of the building as one of special architectural or historic interest. There is inadequate justification for this harm and there are no discernible public benefits from the implemented works. As such the proposal would conflict with paragraphs 129, 131, 132 and 134 of the National Planning Policy Framework, Policy HE4 of the City of York Development Control Local Plan (2005) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Councillor J Galvin, Chair

[The meeting started at 4.30 pm and finished at 5.15 pm].

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