

# OSBALDWICK PARISH COUNCIL

## Minutes of the Osbaldwick Parish Council Meeting held on Tuesday 15<sup>th</sup> January 2019 At St Thomas's Church, Osbaldwick at 7.15pm

Present from Parish - Cllr M Warters (Chairman), Cllr H Ripley, Cllr S Cambridge, Cllr K Lamb, Cllr W Maddocks, L Pye, R Bedford, J Ridge & Cllr L Bennett. 1 member of the public.

### **1. Apologies for Absence**

Councillors J Starzynski & D Peel.

### **2. Declaration of Interests**

None noted.

### **3. Minutes**

It was proposed, seconded and agreed that the minutes of the meeting held on the Tuesday 18<sup>th</sup> December 2018 were a true account of what happened during the meeting and were therefore duly approved and signed by the Chairman.

### **4. Public Participation**

Mr Nick Lowe from York CAMRA had registered to speak and spoke of planning application - 18/02670/FUL The Magnet, 57 Osbaldwick Lane, Osbaldwick, York.  
Demolition of existing hotel and erection of 9 three storey terraced houses.

#### **4A. Exclusion of the Public**

Not Required.

### **5. Plans for Approval and Other Planning Matters**

#### **5.1 Applications received this month:-**

18/02806/FUL            25 Bedale Avenue, Osbaldwick, York

Two storey rear extension and single storey side and rear extension.

Decision - The Parish Council object most strongly to the extensions proposed to this HMO, the property has operated (under different ownership) for a number of years with little adverse effects on neighbours.

The proposals represent a gross overdevelopment of the property, detrimental to the street scene and surrounding neighbours and introducing a level of potential occupancy that will undoubtedly cause problems in terms of car parking, waste storage/disposal and the added potential for noise and disturbance from the comings and goings of occupants.

The Parish Council have enough experience of the detrimental effects of such 'super sized' HMOs throughout Osbaldwick to not want to see any more.

Given the CYC position on provision of private student flat accommodation on prime private sites in this area of York, namely that approving such provision leads to release of family homes back from the student let market to residential use (although that position is factually unproven) the Parish Council question how approving such disproportionate extensions onto family homes assists this aim in the future.

Allowing extensions to create 'superhomes' puts the future use beyond family residential purchasing power and ensures the continual student let HMO use - is that what CYC want?

18/02757/FUL Long Acres, 61-63 Osbaldwick Village

Alterations and extensions to existing attached outbuilding to create living accommodation including single storey extension, alterations to height of roof and insertion of rooflights.

Decision - No objections subject to neighbours and with the addition of the usual informative that there shall be no storage of building materials on Osbaldwick Village Green, no driving on or parking on Osbaldwick Village Green by contractors vehicles without the express permission of Osbaldwick Parish Council.

18/02670/FUL The Magnet, 57 Osbaldwick Lane, Osbaldwick, York

Demolition of existing hotel and erection of 9 three storey terraced houses.

Decision - For clarity it must be noted that section 10 on the application form has been answered by stating that there aren't any trees or hedges on site, they aren't now after the demolition contractors hacked down a mature tree and a number of mature shrubs a few months ago but they certainly were and the mature tree was a feature in the streetscene.

The Parish Council object most strongly to the proposed loss of a formerly important Community facility and a building of historic and architectural merit both inside and outside, that by virtue of which has merited a listing on the York Local List.

The relatively unspoilt 1930s interior of the Magnet being a feature that CAMRA recognised in the 2000 edition of Historic Pubs in and around York when it was described as "the best survivor of its type in York".

The NPPF makes mention of the value of heritage assets. A heritage asset is defined "as a building identified as having a degree of significance meriting consideration in planning decisions because of its heritage interests. Heritage assets include designated heritage assets and assets identified by the Authorities" (including local listing).

Paragraph 131 of the NPPF states "Authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability"

Given the historic and architectural merit of the building as well as its size the Parish Council are disappointed that opportunity has not been sought to renovate the building even if not used as a public house, thereby retaining a landmark building rather than simply trashing it to maximise development returns.

Whilst the Parish Council appreciate the difficulty of landlords running public houses under the 'pub co' regimes and the difference in viability of houses freed from such regimes in the past, it is accepted that viability is a complex issue and for that reason before CYC consider the Magnet for demolition and redevelopment the following should be considered;

i) if it is claimed that The Magnet is not financially viable this should be firstly evidenced by trading accounts for the last three years.

ii) Evidence should be provided that a viability test has been completed by an independent body to show whether The Magnet is economically viable. If there hasn't been such a test carried out then the planning officer assessing the application should undertake one. The CAMRA Public House Viability Test is suggested.

iii) The Parish Council don't believe Enterprise Inns have explored a full range of measures during the last three years to increase trade and diversify use. Evidence to the contrary should be provided if Enterprise Inns believe they have done so.

iv) The Parish Council don't believe that Enterprise Inns had made the sort of financial investment over the past five, ten or even twenty years to give The Magnet a fair chance to thrive as evidenced by the current state of exterior repair. Deliberate, managed decline is a term that springs to mind.

Indeed the reference in the planning statement, paragraph 4 to a "run down pub" is particularly offensive and whilst a reflection on the previous operating model of Enterprise Inns should not be seen as acceptable to promote the demolition of yet another public house. If this were the case then pub co's would be encouraged even more to allow parts of their estates to fall into decay to encourage the conversion of public house sites to realisable real estate profits.

v) Has a viability assessment been undertaken of building a small terrace of residential properties to the rear of the pub and retaining a renovated public house?

If The Magnet is found to be not viable as a public house then the landmark building should be renovated and converted for another use, the building should not be lost.

As for marketing of The Magnet following its closure the Parish Council raise the following points;

i) A realistic opportunity to sell off the public house as a going concern should be explored fully before considering this application for redevelopment.

ii) The Parish Council don't believe that Enterprise Inns took all reasonable measures to market the pub to other potential operators. Evidence is sought from Enterprise Inns that they marketed for at least 24 months either in its current form or as an alternative Community facility at a price agreed with CYC following an independent professional valuation.

iii) Evidence is sought that there has been no interest in purchasing either the freehold or leasehold as a Community facility. Did Enterprise Inns offer The Magnet for sale locally, in the region and in appropriate publications.

Justification for demolition and rebuilding of the site with housing is sought in the applicants sustainability statement, the last sentence of the document referring to "much needed smaller houses in a location where there is a high demand".

That is simply not true, directly opposite in recent years CYC choose to build on another local community facility when the Derwent School playing fields were built on, nearby Derwenthorpe with 540 homes is nearing completion and elsewhere in the local area housing development is due to start alongside Burnholme Community Hub.

It could be fairly argued that there is no local shortage of housing and that a properly funded, maintained public house at this location could under the right ownership be returned to a viable, community asset.

The Parish Council object to the loss of the Public House, a Community asset that at various times in the past provided a home for darts teams, dominoes teams, pool teams, football teams as well as a focal point for the surrounding community much of which was drawn from outside of this Parish. The Magnet provided facilities

for meetings, events and a book club as well as having a very useful community use as a recognised 'Park and Stride' overspill car park for the adjacent primary school with many parents using the outside pub facilities in the summer months.

## **5.2 To hear results of applications decided by City of York Council:-**

**Approved:-** None.

**Refused:-** None.

**Withdrawn:-** None.

## **5.3 Notes:-**

Revised plans received for planning application 18/02000/ADV, B&Q, Osbaldwick Link Road, Osbaldwick - Display of signage.

After discussion it was agreed that the Parish Council are happy with the revised plans but would like to receive assurance that the landscaping that will be removed will be replanted to allow erection of the new totem sign on the corner.

## **6. York Local Plan**

Cllr Bedford advised that he has been invited to comment on the examination of the Local Plan and to provide his observations regarding the nature of the estates that are being built around York and the lack of infrastructure that go with them.

## **7. Clerk's Report**

Nothing noted.

## **8. Public Works Loan Board/Village Green Bridges**

It was noted that the railings will be painted in April.

## **9. Matters Arising**

Nothing noted.

## **10. Community Safety Issues**

Your Neighbourhood is covered by the York North Safer Neighbourhood Policing Team. The Team is based at: Athena House, Kettlestring Lane, Clifton Moor, York. YO30 4XF.

E-mail: [snayorknorth@northyorkshire.pnn.police.uk](mailto:snayorknorth@northyorkshire.pnn.police.uk)

A police report was received for the period of the 1<sup>st</sup> – 31<sup>st</sup> December 2018 and noted the following incidents:-

Type of Incident	Time and Location.	Report made and action taken by NYP	Total calls for month
ASB- Nuisance			0

<b>Burglary</b>	04/12 01:30 Murton Way 29/12 20:29 Bad Bargain Lane	Lock removed from a Unit. Garage entered by forcing lock - Nothing taken	<b>2</b>
<b>Drugs</b>			<b>0</b>
<b>Vehicle</b>	06/12 23:37 Outgang Lane	Van Entered.	<b>1</b>
<b>Theft</b>	10/12 11:46 Murton Way 12/12 21:37 St.Alreds Mews	24 X Gas Bottles taken. Wallet Stolen.	<b>2</b>
<b>Violence</b>	22/12 17:56 Derwent Way 26/12 22:31 Redbarn Drive	Domestic Domestic	<b>2</b>
<b>ASB- Personal</b>		<b>Details not Required.</b>	<b>0</b>
<b>Criminal Damage</b>	31/12 07:00 Osbaldwick Lane	Vehicle damaged wing mirror smashed.	<b>1</b>

## 11. Correspondence

Full list of correspondence emailed to all Councillors.

Chairman advised that the new Village Hall lease has now been signed.

## 12. Financial Matters

12.1. The Clerk submitted the following accounts for payment by BACS:-

L Pink	Clerks salary (Net)	£444.12
L Pink	Expenses	£15.99
Vertigrow	Plants	£24.00
Y.E.S	Pest Control on the Village Green	£240.00

The accounts listed for payment were accepted. Clerk to make the payments via BACS using the dual authorisation process with Cllr Ripley approving all payments submitted.

12.2. No accounts for payment by cheque were submitted.

12.3. The following invoices that were received after the production of the agenda were discussed and approved for payment:-

York Handyman Services	Repair of notice board	£23.99	BACS
David Cambridge Ltd	Installation of new heating system in Village Hall	£12,129.16	BACS
Stoneplan	Salt Bins	£1,350.00	BACS

Note: £180.00 of the £1,350.00 Stoneplan invoice to be reclaimed from Murton Parish Council for the 2 salt bins in their Parish. Clerk to issue invoice.

12.4. No income was noted.

12.5. Any other urgent request submitted to the meeting:-

(a) To decide on the level of precept for the financial year 2019/20 followed by the signing of the form for City of York Council by both the Chairman and Clerk - After discussion it was agreed for the 2019/20 precept to remain the same as 2018/19 at £14,000.00.

### **13. Meeting Reports** (for information only)

Nothing noted.

### **14. Exceptional Items**

**Problems with Roads, Footpaths, Street Lights etc. Complaints to be passed to the clerk by members via e-mails supported with photographs if possible.**

Cllr Maddocks advised that the Willow tree at the bottom of the Link Road has been dug up.

Cllr Bennett spoke of the spotlights at the former primary school on The Leyes that is now being used as a teacher training centre. It has been reported that the spotlights are blinding drivers.

Cllr Bennett advised that she has received complaints regarding a small 'Streamline' taxi that is being left out on Osbaldwick Lane.

#### **14A Future Newsletters**

It was discussed that a complaint had been received about the costs associated with the production of a hard copy newsletter and whether the newsletter could be put on the internet only. The Parish Council would not wish to look at doing this as there are many residents that do not have access to the internet and believe that hard copies are necessary.

### **15. Items for Information**

Nothing noted.

### **16. Items for Next Agenda**

Nothing noted.

### **17. Date of Next Meeting**

The next Parish Council Meeting to be held on Tuesday 19<sup>th</sup> February 2019 @ 7.15pm in St Thomas' Church, York. There being no further business the meeting closed 9.05pm.