

---

MEETING	PLANNING COMMITTEE
DATE	25 APRIL 2013
PRESENT	COUNCILLORS HORTON (CHAIR), CUNNINGHAM-CROSS, GALVIN (VICE- CHAIR), AYRE, BURTON, D'AGORNE, DOUGHTY, KING, MCILVEEN, REID, RICHES, SIMPSON-LAING, WILLIAMS, WATSON (SUBSTITUTE), CUTHBERTSON (SUBSTITUTE) AND BARTON (SUBSTITUTE) (EXCEPT MINUTE ITEMS 50B & 51)
APOLOGIES	COUNCILLORS BOYCE, FIRTH & WISEMAN

---

Site	Reason for Visit	Members Attended
Germany Beck Site, East of Fordlands Road, York. (12/00384/REMM)	To enable Members to familiarise themselves with the site, particularly given strong public interest.	Councillors D'Agorne, Burton, Cunningham-Cross, Galvin, Horton and Reid
North Selby Mine, New Road, Deighton, York. YO19 6EZ (12/03385/FULM)	To enable Members to familiarise themselves with the site, particularly given strong public interest.	Councillors D'Agorne, Burton, Cunningham-Cross, Galvin, Horton and Reid

#### 47. DECLARATIONS OF INTEREST

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

Councillor Barton declared a prejudicial interest in agenda item 4b (North Selby Mine) as he had publically stated his opposition to the application to residents in his ward. He withdrew from the meeting during the consideration of this item.

Councillor D'Agorne declared a personal interest in agenda item 4a (Germany Beck Site) as a number of speakers from Fulford Parish Council were known personally to him. He also declared a personal interest in respect of both items as a member of York Environment Forum.

Councillor McIlveen declared a personal non prejudicial interest as a member of Yorkshire Wildlife Trust who were consulted on both applications.

Councillor Williams declared a personal non prejudicial interest in agenda item 4a (Germany Beck Site) as an employee of Yorkshire Water who had been consulted on the application.

**48. MINUTES**

RESOLVED: That the minutes of the last Planning Committee held on 21 March 2013 be approved and signed by the Chair as a correct record.

**49. PUBLIC PARTICIPATION**

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

**50. PLANS LIST**

Members considered a report of the Assistant Director (City Development and Sustainability) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

**50a Germany Beck Site, East Of Fordlands Road, York (12/00384/REMM).**

Members considered a major reserved matters application (13w) by Persimmon Homes and Hogg The Builder for details of appearance, landscaping, layout and scale of 655 dwellings and associated facilities granted under outline permission (01/01315/OUT).

In their update to Members, Officers reported that;

- Fulford Parish Council had requested that the Committee defer the application until it fully deals with the issues raised in their letter relating to their request for the Council to revoke the outline planning permission, await English Heritage's reconsideration of battlefield registration, require further environmental information on cultural heritage, landscape and visual amenity, bats and flood risk. Officers responded to these points.
- The residents of Springfield House requested that the houses to the south of the site be one storey high and officers commented that they felt that there was not a clear reason for houses to be replaced by bungalows.
- Further letters of objection had been received including an e-petition of 120 signatories against approval of the application.
- The Director of Beverly House Management Company had written to request a 30 metre separation distance to the houses to the east of footpath 7 to retain the Public Right of Way (PROW) green corridor.
- That the Highway Network Management confirmed that previous concerns regarding turning heads, tracking details and internal parking areas had generally been met but that the site still remained limited in space and many vehicle manoeuvring areas had been set out with minimum dimensions. They requested that some of the private driveways to dwellings fronting the 30 metre greenway should be set back to facilitate sufficient turning space.
- Yorkshire Water had no objection in principle to the proposed sewer diversions, and building standoffs from the public sewer centre lines in the application.

In relation to additional conditions to be added to the application, if Members were minded to approve the application they suggested that;

- Condition 1 be amended to include drawing numbers.
- Condition 7 be amended to include Class E buildings(Outbuildings)
- That a Bat Mitigation Strategy and Method Statement be submitted by the applicant.
- That large scale details on the dwellings be submitted before construction work takes place.
- That no landscaping of the area to the south of plot numbers 137-159, which includes the Archaeological Zone take place.
- That a boundary hedge be planted along the rear boundaries of plots 39, 40 and 42 and a temporary boundary enclosure be provided along the line of the hedge during construction.
- Revised highways layout plans be submitted; to show reconfiguration of the pedestrian lane and vehicle parking bay to provide a separation between the lane and the parking bay, the garages for plots 207-211 to be repositioned to allow a distance of 11 metres from the front elevation of the garage and the boundary with the green way.
- That an informative be added to approval to highlight the Council's Low Emissions Strategy.

Officers gave Members the following information in response to their queries;

- That the term outbuilding referred to garden structures.
- Yorkshire Water had confirmed agreement for diversion of the sewer that runs across the site.
- The approval would contain appropriate traffic regulations in order to protect highway safety.

Representations in objection to the application were received from the following people in objection to the application:

Charles Jones spoke on behalf of the Fulford Battlefield Society. He circulated information which contained pictures of archaeological finds (this information had subsequently been published online with the agenda papers). He felt that the

application should be refused as the access road to the development went right along the suggested battlefield site.

Members questioned whether the circulated information had been presented at the Public Enquiry into the proposed development in 2006. It was reported that not all of the current information had been available at the time of the enquiry.

The Council's Archaeologist informed Members that although the Council had supported the Fulford Battlefield Society since their formation, it was not realistic to force landowners to not allow for development on this site. He added that the finds in the information circulated, had been discovered outside of the development area and that all work carried out had failed to produce a clear evidence that the development site was the Fulford Battlefield.

Chris Lindley, who represented residents at Osborne House and Springfield House, spoke in objection to the application. He stated that the hedges at the boundaries of strips of land to the north and south of Osborne House did not protect residents' amenity. He advised that two storey dwellings to the south was inappropriate and requested that these be changed to single storey. Finally he recommended that a Section 106 agreement be attached to approval.

In response to a Member's question about a Section 106 agreement, Officers stated that standoff distance would have to take into account the private right of way, and that to maintain this right of way, a form of enclosure would need to be added.

Verna Campbell from the Fulford Village Design Statement Steering Group and Germany Beck Community Forum also spoke in objection. She commented on the design of the proposed dwellings which she felt were not in keeping with other houses in the local area. Furthermore, the spine road did not reflect the existing design of Fulford Main Street as it did not have continual grass verges along the side of the road.

Karin de Vries, a resident of Osborne House, raised concerns regarding the impact of the development on the amenity of residents. She requested that a green corridor on the site should have properties facing towards it.

Patricia Cooper, a local resident, expressed concerns about surface water and flooding, and stated that the development would be on a flood plain.

She felt that the Environment Agency (EA) report from 2004 was out of date and so should not be taken into consideration by Members. In response, Officers stated that the data used in the report had been agreed with the Council and the Drainage Board and was robust.

Mr Wood, a local resident told Members that he felt that the developers had a moral obligation to all purchasers to guarantee adequate insurance against flooding.

Representations in support of the application were received from Robin McGinn of Persimmon Homes, who were one of the applicants. He informed Members that secondary roads on the site would be broken up to slow traffic down. In regards to the site being the potential location of the Battle of Fulford, he told Members that both the Government and English Heritage said that it should not be included on the register of historical sites. He felt that the development would be character led, community focused and stated that it could be built immediately, if approved.

In response to questions from Members, the applicant informed them that;

- Yorkshire Water had confirmed that a pumping station, which was included on the original planning application in 2007, was no longer needed as surface water could discharge directly into the newly upgraded sewer.
- The Parish Council had not approached him about funding to extend Parish land.
- That the use of tarmac on drives would be limited, and the applicants would seek to use sustainable materials to reduce run-off. However, there would still be an element of water run off.
- That the design in the 'Heritage' area of the development would reflect designs of the best houses in Fulford and that the height of the houses would be similar to those on Fulford High Street which were of a mixed character and scale.

- Water would run off into the Nature Park to the south of the site and also into holding lakes, which would discharge into Germany Beck over time.
- There would be two blocks of flats on the site, one at four storeys height and the other at two storeys height.

Further representations were received from Fulford Parish Council. They felt that a bat method statement would not be appropriate to attach to planning permission, without locating where bat roosts were on the site. They felt that information relating to flood risks on the site were out of date, and reported that Germany Beck had flooded the site in 2012. They felt that a Flood Risk Assessment should be carried out as a result of this.

Members were informed by the Council's Flood Risk Manager that the Flood Risk Assessment that had been carried out for the outline application had been deemed to be robust, and it was carried out on the basis of a topographical survey.

Further representations were received from the Chair of Fulford Parish Council and Fordlands Road Representative member of the Germany Beck Consultative Forum. He informed Members that flooding and sewage on to Selby Road and Fordlands Road was a concern of the Parish Council. He also felt that the proposed A19 extension would not be of benefit to Fordlands Road residents.

Representations were received from the Ward Member, Councillor Aspden. He stated that he supported concerns that had been raised regarding the registration of the Battlefield and the detrimental effect that the development would have on the properties on the western side of School Lane. He added that he was concerned that landscaping plans had only been put online after the consultation period for the application had ended. He was also concerned at a general lack of notification of information for residents about the scheme, and the confusion caused by multiple applications on the site. He felt that there would be sewage problems caused by the development, an impact on flood displacement and a detrimental affect on air quality in the surrounding area.

An additional representation in writing had been received from the local MP, Julian Sturdy following publication of the agenda. He advised the Committee to not make a decision on the

application whilst consultation was still taking place with English Heritage.

Some Members questioned that the number of shrubs shown in the landscaping plans would have a negligible affect on lower CO2 levels. Other Members questioned why Officers had recommended that houses could be built in Flood Zones 2 and 3.

Officers responded that the National Planning Policy Framework permitted development in Zone 2.

During debate some Members felt that the application should be approved because they were content that the Environment Agency had satisfied previous concerns, there was a mix of housing types and that the houses would be further away from bat foraging areas.

Other Members expressed concerns about the parking courts at the back of the properties. They felt that these would not be maintained and would be a magnet for anti social behaviour. They felt that the four plots that backed on to Springfield House should be changed into bungalows. They also expressed concerns about the boundary wall between Osborne House and the lane, as a result of its ownership. They urged the applicants to encourage the planting of fruit trees as part of the landscaping plan.

Some Members felt that the designs of the houses were bland and uninspiring and that they would also prefer for the parking spaces to be relocated, in front of the properties.

Others felt that the applicants did not address targets for zero carbon homes and that the design of the houses would date quickly. They did welcome the integration of shops and a medical centre within the development plans, but felt that due to its location and access on to the A19 that the houses would be sold to people who did not work in York.

Councillor Simpson-Laing moved, and Councillor Williams seconded, approval of the application with the inclusion of amendments to Conditions 1 and 7 and an informative for the inclusion of fruit trees in landscaping plans.



Councillor Reid moved, and Councillor Cuthbertson seconded, an amendment that plots 27-32 of the development should be bungalows. On being put to the vote this amendment was lost.

A further amendment was moved by Councillor Watson, and seconded by Councillor Ayre, for houses located on the Crescent to be single storey. Following further discussion the amendment was modified to ask for a reduction from 4 storey properties to 3 storeys. On being put to the vote this amendment was lost.

**RESOLVED:** That the application be approved subject to the conditions listed in the report, additional conditions suggested by Officers at the meeting, amended conditions 1 and 7 and the inclusion of an informative to be added to landscaping plans regarding the planting of fruit trees, and an informative about the Council's Low Emissions Strategy.

Additional Conditions:

6. **INFORMATIVE:** The revised details shall include a brickwork finish up to the upper cill band level and further detailed design of the windows including removal of the solid panels. Consideration should be given to the location of post boxes on the external facade of the building.

9. No development shall take place until a detailed Bat Mitigation Strategy and Method Statement have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority and shall be retained unless otherwise agreed in writing with the Local Planning Authority.

This plan should provide:

- Details of what is proposed to minimize the impact of the development on existing bat usage.
- Details of what mitigation work will be provided to enhance the features suitable for bat roosting, foraging etc. within the development as a whole and in particular what work is proposed to minimize impacts on road crossing points.
- Details of what lighting is proposed within the site, and how any potential impacts on bats and other wildlife will be minimised. The scheme should show how light spillage will be minimised, and ensure that any roost sites, foraging or commuting areas are not directly illuminated to retain dark corridors for commuting and in particular at the new proposed junction with the A19.
- Details of the inspection of any trees which may need to be felled or disturbed, as close to the date of work as possible and no earlier than one month prior to any work to confirm the absence or otherwise of roosting or hibernating bats.
- Details of what assessments, protective measures (if any) and sensitive work practices are to be employed, prior to and during, construction to avoid any impacts.
- A timetable for implementing the above measures and construction showing any phasing of work carried out to avoid sensitive times of the year.
- A list of persons responsible for:
- Compliance with consents relating to nature conservation,
- Compliance with conditions relating to nature conservation.

- Implementation and monitoring of sensitive work practices.
- Details of any training to be provided for construction staff with regard to wildlife and protected species.
- Provide details of what contingency procedures are to be in place in the event that bats are found following commencement of development.
- Details of a monitoring programme for any mitigation features that have been implemented for a period of 5 yrs after the completion of the work.

Reason: To take account of an enhance the habitat for a protected species. It should be noted that under NPPF the replacement/mitigation proposed should provide a net gain in wildlife value.

10. No construction works shall commence on the dwellings hereby approved until typical large scale details (at a scale of 1:20 and 1:5) of the following items for each of the four ranges of housing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be thereafter be carried out in accordance with the approved details:

- Windows and window openings (including reveals, cills and lintels),
- External doors and door openings (including canopies, reveals, thresholds and lintels)
- Large scale sections through the front elevation of the house to show typical details (including verge/eaves, string courses, plinths etc)

Reason: So that the Local Planning Authority may be satisfied with these details.

11. Prior to the commencement of plots 39, 40 and 42, the boundary hedge shown along the rear boundaries of these plots shall be planted in accordance with the approved plans. A temporary boundary enclosure shall be provided adjacent to the line of the hedge during construction. The hedge shall be retained at all times.

Reason: In the interests of protecting the amenity of the residents of Osborne House.

12. Notwithstanding the details shown on the approved plans, revised plans showing the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the houses in the relevant phase. The development shall be carried out in accordance with the approved details;
  - Pedestrian lane and vehicle parking space 102 to be reconfigured to provide a separation between the lane and the parking bay;
  - The garages for plots 207 to 211 shall be repositioned to allow a distance of 11 metres from the front elevation of the garage and the boundary with the green way.

Reason: To ensure adequate usable parking provision to serve the development in the interests of highway safety.

13. Notwithstanding the submitted plans, no approval is hereby given for the landscaping of the area of land to the south of plot numbers 137 to 159, which includes the Archaeological Zone.

Reason: This is because this area of land falls within the Germany Beck Nature Park and is therefore covered by Condition 10 of the Outline planning permission.

Amended condition and informative;

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A Extensions), B (Alterations to roof) and E (Outbuildings) of Schedule 2 Part 1 of that Order shall not be erected or

constructed for plots 37-48 (inclusive) and 643 to 655 (inclusive).

#### INFORMATIVE: LANDSCAPING

It is recommended that Prunus Spinosa (Blackthorn) is removed from the proposed rear garden hedge mix and substituted with Hawthorn, Field Maple and Guelder rose. This is because Blackthorn is unsuitable for a domestic situation. You are also encouraged to include the planting of fruit trees within the scheme in publicly accessible areas.

#### INFORMATIVE; COUNCIL'S LOW EMISSION STRATEGY

In order to facilitate the uptake and recharging of electric vehicles / bikes / scooters within all residential garages on site, a standard domestic 13A electrical socket should be fitted to an internal or external wall. This should be capable of charging at a minimum of 3KWh for up to 8 hours without overheating the cabling or socket. Ideally, a 13/32Amp socket should be supplied which can offer up to 7KWh continuous charging with a control and protection function on a specific circuit (to avoid overload through use of other appliances on the circuit). Where mounted on an external wall, a suitable weatherproof enclosure for the socket will be required.

**REASON:** The proposal, subject to the conditions listed in the report and the amended conditions above, would not cause undue harm to interests of acknowledged importance, with particular reference to siting, design, external appearance and landscaping. As such, the proposal complies with Central Government guidance contained in the National Planning Policy Framework and Policies GP1, GP4B, GP9, NE1, NE6, NE7, HE3, HE10 and T4 of the City of York Development Control Local Plan.

**50b North Selby Mine, New Road, Deighton, York, YO19 6EZ (12/03385/FULM).**

Members considered a full major application by Mr Richard Barker for the demolition of existing buildings and reprofiling of bunds and areas of the former mine, construction of an anaerobic digestion combined heat and power facility and horticultural glasshouse and associated infrastructure works.

Officers pointed to a number of updates in their report which included;

- The amendment of paragraph 1.5 (page 46) to read “Spring House Farm, which is located on the south side of the access road, at a distance of approximately 630m from the side entrance”
- The amendment of paragraph 4.7 (page 68) to read “The Ministerial statement in respect of the statutory instrument confirmed the importance the Coalition Government places upon the Green Belt and recognised its invaluable role in protecting this treasured environmental and cultural heritage”
- The amendment of paragraph 4.14 (page 6) to read “However, legal advice from an independent planning barrister given in 2011 with regards to the validity and enforceability of the condition, confirmed that the condition was fundamentally flawed and it was NOT capable of being enforced in full”.
- Condition 2 (page 82) be amended to read “Reference to Drawing no. PP-001 Rev. P ‘Application Site Location Plan’ dated October 2012 and received 6 November”
- That a letter had been received Nigel Adams MP on behalf of a number of constituents, in this he highlighted; overwhelming community opposition, congestion and lack of capacity on the A19, location in the Green Belt, the condition to restore the site should mining cease, the release of odorous gases to the rural environment, sustainability of a project which imported quantities of waste by road.
- That a further letter had been received from Julian Sturdy MP which stated that; the development was inappropriate and alien within a rural community and Green Belt and so close to a Conservation Area, it would blight the landscape, the potential odorous gases would

detrimentally affect residential amenity and showed the extent of local opposition.

- A representation on behalf of Sam Smith's Brewery who felt that the Officer's report was flawed in terms of the basis for its assessment on the green belt, and that construction should not take place on site, due to ongoing Enforcement Action. The letter stated that there was the potential for challenge of any decision on this basis. The Council's Legal Officer responded that he was satisfied that a decision could be taken on the basis of the report before Members.
- Further correspondence received from local residents. One resident of Spring House Farm asked for further conditions to be added with regards an acoustic study, resurfacing of New Road and the removal or relocation of the speed humps.
- That further information had been sent by the agent in regards to the transport information for the operation of the mine site, which indicated that there were around 60 two way Heavy Goods Vehicles (HGV) movements a day, of which 24 were articulated HGVs.
- That the following amendments be made to permission if granted by Members ;

#### Condition 2

To reflect revised plans- Drawing no PP-008 Rev P1 'Site Layout Plan (Proposed Site Plan) dated and received.

Drawing no PP-009 Rev P1 'Proposed Roof Plan' dated, but still needing to be confirmed.

#### Additional Condition

That the traffic hump outside Spring House Farm be removed and the roadway for 200 metres outside the property be resurfaced to reduce the impact of noise in the interests of residential amenity. This condition could be deferred to the Environmental Protection Unit if Members wanted more information.

#### Informatives

To highlight the Council's Low Emissions Strategy

Representations in objection to the application were received from the following people in objection to the application:

Liz Casling, who spoke on behalf of Escrick Parish Council, opposed the application as she felt the development was inappropriate in the Green Belt, and the height of the facilities would be visible from the surrounding area.

In addition she felt that the application should be considered as one unit for a mixed use facility rather than two separate units. She commented that waste for the anaerobic digestion combined and power facility to be reprocessed would be brought in from outside of the local area.

Tim Williams, a local resident felt that the former condition when the mine closed, to return the site to agricultural usage was being ignored. He also expressed concerns at the level of traffic due to waste being transported to the site.

Colin Davies, a local resident felt that the developers would not invest in the community, the application would not protect the Green Belt and that previous planning conditions attached to the site would be ignored by the approval of the development.

Doctor Janet Astley commented that local residents would be adversely affected by light, noise, smell and particle pollution from the proposed power facility. She added that it was not environmentally friendly and the new access from the A19 to the site, would not improve congestion on an already busy road.

David Astley spoke to Members about how the site supported a variety of wildlife, and suggested that the area be developed into a nature reserve.

Richard Hardy did not support the proposal as he felt that it would not benefit the area socially or environmentally.

Doctor Michael Hill opposed the proposal because of the emission of smells from the flare stack, the potential for an increased amount of CO<sub>2</sub> being dispersed particularly given that prevailing winds would take this towards York and the risk of explosion of drilling near to the mine shaft.

Mr Oldridge felt that zero carbon saving targets were misleading, as the transport of waste to the site used fossil fuels. He added that the energy produced would not be



sufficient to heat a 9 megawatt boiler which would heat the proposed greenhouse.

Bruno Hanneman, a local resident, felt that the application did not provide details of how the facilities would be decommissioned if they fell out of use and that no assessment of its performance had been proposed.

Representations in support of the application were received from the following people:

Christian Vassie referred to points made by York Environment Forum in the Officer's report. He supported the application subject to conditions being added to make sure that transportation of waste to the site be by renewable energy methods (such as trains, canals or biogas vehicles).

The applicant's agent, Claire Harron spoke about how the Anaerobic Digester was a recommended Government measure for reprocessing waste materials, and this method was also supported by Friends of the Earth. In addition, she informed the Committee that CO<sub>2</sub> emissions would be reduced by 20,000 grams would and that the development was in line with the Council's Planning Policies.

In response to questions from Members, the agent for the applicant explained that the Anaerobic Digester would heat the greenhouse for 34 weeks a year, and that a supplementary boiler would rarely be used to its full extent. It was also noted that any hydrogen sulphide which was created would be cleaned out before any other gas was burned. The agent also informed Members that levels of gas emissions from the plant would be recorded.

Regarding the origins of waste for the digester, the agent answered that this would be determined following planning permission, once an Environment Agency permit had been obtained and waste contracts had been secured.

In response to additional questions from Members, the agent confirmed that 56 jobs would be created locally some of these would work at the plant and others, mainly made up of seasonal workers, would work in the glasshouse.

Representations were received from David Randon, on behalf of Wheldrake Parish Council. He expressed concerns about odour, light from the facility, and HGV's accessing the A19.

Officers confirmed that the access from the site on to the A19 had been designed to national standards and that it would be possible for a HGV to be able to turn around safely.

Some Members felt that the application should be approved as further production of renewable energy was needed.

Others felt that the proposal was a good use of an industrial site and that if the site provided a benefit to the local community that some of the fear about the application might diminish.

Others felt that the site would not provide renewable energy for anything other than the glasshouse, and that the waste for reprocessing would be imported from other areas rather than just from York. They felt that there would be an unacceptable level of vehicle movements.

Some Members felt that they could support the application with an added condition that the transport of waste to the site by transport which used a low level of non renewable energy, such as canals and trains. They felt that the emission levels from the plant would be negligible and that any impact caused would be at the level of current standards.

Others felt that the plant would be intrusive and larger than what was on the site previously.

**RESOLVED:** That the application be approved with amended condition 2, an additional condition and informatives as detailed below.

19. Prior to the commencement of development, with the exception of demolition and site clearance, a scheme for works to the surface of the access road shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the removal of the traffic table outside Spring House Farm and the resurfacing of the roadway for a stretch of at least 200 metres outside the property along with phasing for the works. The development shall be carried out

in accordance with the approved details and phasing plan.

### 3. INFORMATIVE:

Please note that a bespoke environmental permit is required with regards the anaerobic digestion and combined heat and power facility. This is issued by the Environment Agency under the Environmental Permitting Regulations. You are advised to apply for this permit without delay.

### 4. INFORMATIVE:

In order to facilitate the uptake and recharging of electric vehicles / bikes / scooters, a standard domestic 13A electrical socket shall be fitted to an internal or external wall. This should be capable of charging at a minimum of 3KWh for up to 8 hours without overheating the cabling or socket. Ideally, a 13/32Amp socket should be supplied which can offer up to 7KWh continuous charging with a control and protection function on a specific circuit (to avoid overload through use of other appliances on the circuit). Where mounted on an external wall, a suitable weatherproof enclosure for the socket will be required.

Reason: To reduce the impact of noise from heavy goods vehicles in the interests of residential amenity.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to economic benefits, highway implications, design and visual amenity, crime, openness of Green Belt, climate change, flood risk, nature conservation and human health. As such the proposal complies with the National Planning Policy

Framework (March 2012), policies YH9C and Y1 of the Yorkshire and Humber Plan Regional Spatial Strategy and policies GP1, GP3, GP4A, GP4B, GP5, GP6, GP9, GP15A, GB1, NE1, NE5, NE6, NE7 and T4 of the City of York Development Control Local Plan.

**51. APPEAL PERFORMANCE UPDATE REPORT**

Members considered a report which informed them of the Council's performance in relation to appeals determined by the Planning Inspectorate from 1<sup>st</sup> January to 31<sup>st</sup> March 2013. The previous excellent performance was noted as having been significantly affected by the publication of the NPPF in March 2013, but was more recently improving again. Some concerns were expressed regarding the level of consistency of decision-making by appeal Inspectors.

**RESOLVED:** That the report be noted.

**REASON:** To inform Members of the current position in relation to planning appeals against the Council's decisions as determined by the Planning Inspectorate, over the last 6 months and year.

Councillor D Horton, Chair  
[The meeting started at 3.00 pm and finished at 9.00 pm].