

Meeting	Planning Committee A
Date	5 September 2024
Present	Councillors Crawshaw (Chair), Fisher (Vice-Chair), Ayre, J Burton, Clarke, Cullwick, Fenton (Substitute for Cllr Wann), Melly, Rowley (Substitute for Cllr Steward). Whitcroft and Moroney
In Attendance	Becky Eades – Head of Planning and Development Services Jonathan Kenyon – Principal Officer Development Management Erik Matthews – Development Management Officer Sandra Branigan – Senior Lawyer
Apologies	Councillors Steward and Wann

117. Declarations of Interest (4.37pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. There were none.

118. Minutes (4.37pm)

Resolved: That the minutes of the last meeting held on 22 July 2024 were approved as a correct record subject to the following changes:

- The second paragraph before the resolution for the York Central application [23/02255/REMM] being amended to: Cllr Fenton moved the Officer recommendation to delegate authority to the Head of Development of Services to determine the final detail of the planning conditions below then approve the application subject to planning conditions listed in the report and amended Condition 6 to reflect the retention of 8 Blue Badge places in perpetuity in Plot F2 and to review those in Plot F1B as per the original wording of Condition 6, and an additional informative for consistent approach to tactile paving. This was seconded by Cllr Cullwick.

- Under public speakers for the York Central application [23/02255/REMM] the sixth bullet point under David Sweetings submission to begin 'The use of the facades for bird boxes'

119. Public Participation (4.39pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

120. Plans List (4.39pm)

Members considered a schedule of reports of the Head of Planning and Development, relating to the following planning applications, outlining the proposals and relevant policy considerations and setting out the views of consultees and officers.

121. Land to the south of New Farm, Lords Lane, Nether Poppleton Report [23/02254/FULM] (4.39pm)

Members considered a major full application from Mark Wood for the Installation of a solar farm with associated infrastructure, access, security fencing and landscaping on land to the south of New Farm, Lords Lane, Nether Poppleton, York.

The Head of Planning and Development Services outlined and gave a presentation on the application. In response to a Member question she showed the site of the clay extraction site, to the south of the site.

Members were provided with an update noting that the applicant had agreed to the upgrading of passing places on Newlands Lane between its junction with the A59 and Lord's Lane. This had been amended in Conditions 19 and 20. Members were advised that there was an amendment to condition 14 to refer to an updated Construction Traffic Management Plan (CTMP). Clarification was given on the terminology EIA development, and it was confirmed that there had been additional representation from a local property expressing concern in respect of Area A of the proposal. He was asked by a Member where the passing places on Newlands Lane between its junction with the A59 and Lord's Lane were on the site layout.

Public Speakers

Geoff Beacon spoke on the application regarding car provision and the green belt. He cited research on the green belt.

Scott Johnson spoke in support of the application on behalf of the applicant. He detailed the assessment of the site and engagement with the landowners of the site. He explained that the land was flat and was screened by hedgerows. He noted Poppleton Parish Council's input into the plans and that public consultation had been carried out. He added that the applicant had engaged with Newlands Farm. He added that the solar farm would have a net benefit to wildlife and noted the key benefits of the supply of clean energy. In response to Member questions Scott Johnson explained that:

- There was 32.6 megawatts at peak power. He noted that peak power was close to export power.
- It was necessary to decommission the solar farm after 30 years due to the uncertainties in technology and solar technology.
- Officers were then asked and explained the passing places for construction traffic and they confirmed that the impact on the Public Right of Way (PROW) network would be during the construction of the solar farm.

Following debate, Cllr Fisher moved the Officer recommendation to approve the application after referral to the Secretary of State and subject to the conditions listed in the report and amendment to conditions 14, 19 and 20. This was seconded by Cllr Fenton. Following a unanimous vote in favour it was:

Resolved: That the application be given approval after referral to the Secretary of State subject to the conditions listed in the report and amendment to conditions 14, 19 and 20:

Condition 14

Updated Construction Traffic Management Plan (CTMP).

Condition 19

The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority, or arrangements entered into which ensure the same.

Upgrading of passing places on Newlands Lane between its junction with the A59 and Lord's Lane

Such scheme shall specify:

- i) Dimensions,
- ii) Surfacing,
- iii) Provision for maintenance,
- iv) Signage

The upgraded passing places shall be retained and maintained for the lifetime of the development.

Reason: In the interests of the safe and free passage of highway users.

Condition 20

The development hereby permitted shall not be undertaken beyond site layout works until a scheme to assess the need for additional passing places on Newlands Lane and Common Croft Lane has been submitted to and approved in writing by the Local Planning Authority. Should the scheme identify additional spaces the following information shall be submitted:

- i) Dimensions,
- ii) Surfacing,
- iii) Provision for maintenance,
- iv) Signage
- v) Programme for implementation

Any agreed additional passing places shall then be provided, retained and maintained for the lifetime of the development.

Reason: In the interests of the safe and free passage of highway users.

Reasons: The proposal for the construction of a solar farm to produce 32.6 MW of electricity per annum over a 55.9-hectare site in two portions lying to the northwest of Nether Poppleton village is acknowledged to be inappropriate development within the Green Belt. However, subject to appropriate conditions the proposal is felt to be acceptable in terms of flood risk and drainage, biodiversity, loss of agricultural land, landscape impact and transportation and access. It is felt that the clear environmental benefits when put in the context of the declared climate emergency, of generation of a significant quantity of renewable energy clearly outweighs the harm to the Green Belt and the localised harm to the adjoining landscape character.

The proposal is therefore felt to be acceptable in planning terms and approval is recommended following referral to the Secretary of State, on the basis that it falls within the thresholds in respect of development in the Green Belt contained within the 2024 Town and Country Planning (Consultation) England Direction.

**122. Huntington South Moor, New Lane, Huntington, York
[24/00282/REMM] (5.05pm)**

Members considered a reserved matters application from Barratt David Wilson Homes for the layout, scale, appearance, landscaping and access of 280 dwellings and associated infrastructure following outline planning permission 21/00305/OUTM at Huntington South Moor, New Lane, Huntington, York.

The Head of Planning and Development Services outlined and gave a presentation on the application. Members asked several questions to which she explained that:

- Concerning the different colours of highways on the site plan, some cul-de-sac areas had private drives which would be block paved (shown in white). The pink areas showed where tarmac would be used.
- She showed where the water attenuation tank and play areas were.
- All car parking spaces were large enough for disabled parking and there was visitor parking on the highway. It was explained where visitor parking was scattered around the site.

Public Speakers

Yann Golanski, a local resident, spoke in objection to the application. He explained that the applicant had a lack of concern to the residents of Sadlers and Forge Closes. He noted that there had been a lack of consultation and he explained his concerns about the impact of the scheme on levels of light and wildlife.

Geoff Beacon spoke on the application regarding car provision and the green belt. He suggested that most new residents would be affluent and there would be a high level of car emissions. He noted that the scheme was against the NPPF and the carbon emissions expected could not be considered sustainable.

Liam Tate spoke in support of the application on behalf of the applicant. He noted that consultees had provided feedback into the proposal and he explained public engagement during consultation. He explained that the scheme included 30% affordable housing and provided substantial open

space. He added that the scheme would made a S106 contribution of £3.6million. In response to Member questions he explained that:

- Regarding the integrity of the hedgerow at the cemetery the applicant would be meeting with the cemetery committee. He added that there was a play area to the east of the cemetery and there would be a 6m high security fence on the boundary to the cemetery.
- The two play areas were not restricted to age ranges and they would have a range of equipment for a wider group of children. It was explained that a play area had moved after discussion with the owner of Huntington Grange.
- The location of the benches on the site was explained.
- [At this point the Head of Planning and Development Services was asked and confirmed that car parking was a material planning consideration].
- There was a requirement to provide a number of parking spaces per dwelling.
- The site was a sustainable site with public transport links.
- All the houses had Electric Vehicle (EV) charging.
- The safeguards in place for the protection of trees. He added that the applicant could look at covenants in relation to the trees at the point of sale of the properties.
- What the different highway colours on the site plan showed. It was noted that the materials were yet to be agreed.
- The applicant had met with Ward Councillors, the Cemetery Committee, and the owners of Huntington Grange and they would continue to meet with them.
- There would be a site manager and site office on site where complaints could be lodged, and the complaints procedure was in the construction method statement.
- Regarding whether the carbon footprint would be reduced, the properties would be built to building regulations and there would be solar panels and EV charging points.
- There would be management fees and each property would be charged a proportion of ground rent.
- The fees to residents would be agreed later down the line.

[The meeting adjourned from 5.48pm until 5.58pm]

In response to questions from Members, officers explained that:

- The council would not collect waste from unadopted roads on new schemes.
- The extension of the cemetery was to the east boundary of the cemetery.

- Regarding the protection of the cemetery boundary, there was a wildflower meadow after the kick about area.
- The addition of a condition regarding the adoption of roads would be done at the outline planning stage.
- The authority could not require a developer to adopt a road. The application was progressing on the understanding that roads would be adopted, apart from the private driveways. The developers would get the roads to adoptable standards and bin wagons could only go down adoptable roads.
- [At this point the Senior Lawyer advised that the authority could not require developers to have adoptable roads and Mr Tate had indicated that the applicant would be offering the roads for adoption. The Head of Planning and Development Services advised that the plans showed that the roads would be built to an adopted standard].
- The veteranising of trees related to the age of the tree. The veteranised tree would not be impacted by the development and it was understood that the tree would be subject to a Tree Preservation Order (TPO).
- Expectations around a complaints policy could be made clear in the construction management plan which was included in the outline planning permission.
- Affordable housing was looked at in the context of local housing needs assessment and it showed a need for more one and two bedroom properties. The evidence also showed a need for more social rent properties.
- The council landscape management team was aware of the TPO assessment.
- The site could not contribute to the traveller community as it was part of the outline planning permission.
- Regarding the timeframe for the road to be adopted there was a phasing plan and adoption would usually come at the end of this.
- Asked if maintenance fees could be conditioned, the Senior Lawyer advised that the level of management fees was not a planning consideration.
- Access to the site was included in the outline planning permission and the construction management plan would come through the discharge of conditions. If there was a technical highway issue this would be discussed with the developers. [At this point the Senior Lawyer reminded Members that they could only consider reserved matters].
- Regarding what car parking policies could be taken into account, there wasn't specific local guidance and the NPPF would be referred to and was explained to Members. It was noted that most houses on the site would have one car parking space and the carparking layout was standard to the location.

- The separation distances between Forge and Sadlers Closes was 2m. The hedgerow at the back of them was not consistent and there was variable boundary treatments for which the outline planning permission had not set any parameters.

During debate it was confirmed that there could be an informative regarding communication. Cllr Rowley proposed the officer recommendation to approve the application with an amendment to condition 4 regarding the landscaping near the cemetery, and the wording of informative 1 regarding the construction management plan delegated to the Head of Planning and Development Services. This was seconded by Cllr Melly. Following a vote with ten voting in favour and one abstention it was:

Resolved: That the application be approved subject to the conditions listed in the report, an amendment to condition 4 regarding the landscaping near the cemetery, and the wording of informative 1 regarding the construction management plan delegated to the Head of Planning and Development Services.

Reasons:

1. The proposed layout adheres to the parameter plans approved at outline planning permission stage. The layout design promotes active travel and health and wellbeing by virtue of its infrastructure for walking and cycling and the green infrastructure on site. The layout has distinctive character and provides suitable levels of amenity for existing and future residents. The mix of housing is appropriate, considering identified local need. The scheme accords with NPPF advice and the National Design Guide, in particular in respect of place-making and the promotion of sustainable and active travel. The scheme is also consistent with relevant policies in the Neighbourhood Plan and the DLP 2018.
2. Conditions are deemed necessary in respect of the landscaping and the layout, to approve detailed design in respect of boundary treatment, play equipment, planting plan (including stock sizes) and to secure the agreed types of crossings over New Lane. Other matters are already dealt with in the outline permission.

Cllr J Crawshaw, Chair

[The meeting started at 4.30 pm and finished at 7.00 pm].

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