



Fulford

Parish Council

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Minutes of the Extraordinary Meeting of Fulford Parish Council held at 18:00 on 28^h March 2023 in The Old Library, Fulford Social Hall, School Lane, Fulford, York.

Present: Cllr. Keith Aspden (Vice-Chair); Cllr. Karin de Vries; Cllr. Simon Marsh; Cllr. Mary Urmston; Cllr. Andrew Vevers and 3 members of the public.

22183. Chair's welcome.

In the absence of the Chair, the Vice-Chair opened the meeting and welcomed all present. The Vice-Chair explained that due to the timing of the extraordinary meeting, the Clerk was unable to attend but that the meeting was being recorded and Cllr. Marsh would provide the Clerk with notes and the recording from which to prepare the minutes of the meeting.

22184. To receive apologies and approve reasons for absence.

Apologies and reasons for absence were received and approved from the Clerk, Cllr. Koprowska (the Chair), Cllr. Clare and Cllr. Walker.

22185. To receive any declarations of interest.

It was noted that Cllr. Aspden had declared at interest at the City of York Council funding meeting for Planning Application 23/00283/FUL (Item 22188.a.i) on this agenda) and had left the room during that vote in order to be able to take part in consideration of the application within the Parish Council. Cllr. Vevers declared a non-pecuniary interest in Item 22188.a.i) in his capacity as a member of the Ouse and Derwent Drainage Board.

22186. To receive & approve the Minutes of the Meeting of the Parish Council held 14 March 2023.

Deferred to the next meeting pending attendance of the Clerk.

22187. To receive and consider Parishioners' Questions.

All present were introduced.

Two members of the public spoke in support of Item 22188.a.i) Flood alleviation scheme and stressed the importance of flood defences for residents in the Fordlands Road area, with particular reference to issues around daily care for elderly residents; general access issues; increased regularity of flooding in the area; damage to ground floor flats and lower housing; sewer and river water encroaching onto streets and the impact to all residents in the Fordlands Road and Fordlands Crescent areas.

Cllr. Urmston queried whether the flooding spreads as far as Cherry Wood Crescent, the members of the public thought not but that the properties are affected by the backing up of the drains and flood water in gardens.

The Liberal Democrat candidate in the Local Elections introduced herself and expressed interest in listening to the issues raised at this meeting.

22188. To consider the following Planning matters:

a. New Applications

- i) **23/00283/FUL | Flood alleviation scheme** comprising a pumping station and associated inlet structure, control kiosk, access track and parking area; culvert under Selby Road; outfall structure and floodwall alignment and penstock across Germany Beck; two earth flood embankments, and a temporary construction compound and tree works within the Fulford Conservation Area | Fulford Flood Alleviation Scheme Pt Fulford Ings and Pt Playing Fields Selby Road York;

Chair's Initials

It was noted that a draft response had been prepared by the Planning working group and circulated to all members in advance of the meeting. Cllr. Urmston made the draft letter available to the members of the public to view.

It was noted that the first point made was that the Parish Council fully supports the objectives of this scheme to provide much needed flood protection to homes and roads in the vicinity of Germany Beck. Councillors explained to the members of the public that because it is a planning application, the response includes technical planning issues in terms of mitigations for the community arising from a loss of Parish Council open space land and impact on the parish. Councillors confirmed that the Parish Council recognises the main benefits from this scheme but also that it must bring some attention to areas where mitigations are required. Councillors raised concerns that some residents may not support the loss of open space and other consequences of the application.

Following discussion, it was RESOLVED to support the application subject to the planning concerns and mitigations outlined in the draft letter of response in relation to loss of public open space, impact on the green belt, impact on heritage, landscaping/loss of trees, invasive species clearance. It was further RESOLVED to submit the letter as drafted.

The Vice-Chair permitted the members of the public present to comment on the letter and they welcomed the support of the application and were sympathetic to the mitigations and compensation concerns raised.

Some councillors queried if the Parish Council should ask the Ward Councillor to call the application in to Committee to ensure that all representations were available to the Parish Council, others felt that it may not be appropriate in this instance as it may slow the process down, particularly with the upcoming elections causing delay. It was noted that it may go to Committee in any event. Cllr. Aspden agreed to query what the planning trajectory is likely to be before any further decision is taken by the deadline of 29th March.

- ii) **23/00466/FUL | Single-storey side extension**, pergola and porch to rear, demolition of existing chimney stack, 2no. rooflights to rear following removal of existing dormer, window alterations and raised height garden wall | 1 Connaught Square St Oswalds Road York YO10 4FQ

Following consideration of the Planning working group report it was RESOLVED to comment that the Parish Council objected to the previous application and it does not support this similar proposal, which includes further changes to the appearance of the dwelling.

- iii) **23/00549/TPO | Reduce 2no. branches from 1no. Oak** by 4 to 5 metres; reduce two branch stubs - works to tree protected by Tree Preservation Order no. 15/1985 2 Atcherley Close York YO10 4QF

It was RESOLVED there were no objections.

- iv) **23/00504/FUL | Single story flat roof rear extension** and extension to rear dormer (resubmission) 85 Cherry Wood Crescent York YO19 4QL

It was RESOLVED there were no objections.

b. Ongoing Applications

- i) **Revised Plans: 22/02437/FUL**. Conversion of Nos. 100-102 to provide 4no. dwellings with external alterations and extensions. Redevelopment of outbuildings at rear to provide 1 no. dwelling and parking. 100 Main Street Fulford York YO10 4PS

It was noted that the application was approved on 23 March following the case officer's outright refusal to reconsult or allow the Parish Council to respond to revised plans, despite requests from the Parish Council. It was suggested that the decision appears to have been rushed and that

conditions are either inadequate or missing altogether. It was further noted that the case officer failed to consult internal consultees on important matters such as conservation, drainage, and parking provision.

Following consideration of potential courses of action, including raising a complaint or seeking legal advice with a view to taking legal action, it was RESOLVED to seek legal advice and delegate the decision on sending a pre-action letter to the Clerk depending upon the advice received. A cap of £4,000 was set for such advice. It was noted that an extraordinary meeting may have to be arranged for any further decision.

- ii) **22/01502/FUL** | Single storey rear and side extension and erection of 2no. rear garden outbuildings for additional living space | 151 Main Street Fulford York YO10 4PR.
Noted.

22189. To consider options for budgetary virement and items to earmark for the next financial year.
Following consideration of the Clerk's recommendations, it was RESOLVED to agree with the recommendations for virement and earmarked projects.

22190. To confirm the date and time of the next meeting.
The Annual Parish Council Meeting is scheduled for 9th May 2023 at 19:00 and will be immediately followed by an Ordinary Meeting of the Parish Council.

The Vice-Chair closed the meeting at 19:20

Signed Chair