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MEETING	PLANNING COMMITTEE
DATE	29 MARCH 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), BARTLETT, BLANCHARD, CUTHBERTSON, HILL, HORTON, HYMAN, JAMIESON-BALL, MACDONALD, REID, SIMPSON-LAING, I WAUDBY AND WILDE
APOLOGIES	COUNCILLORS MOORE AND SMALLWOOD

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**53. SITE VISIT**

The following site was inspected before the meeting:

Site	Reason for Visit	Members Attended
North of England Clay Target Centre Tinker Lane Rufforth York YO23 3RR	For Members to familiarise themselves with the site.	Cllrs Horton, Jamieson-Ball, Macdonald, Reid, R Watson and Wilde

**54. DECLARATIONS OF INTEREST**

Members were invited to declare at this point any personal or prejudicial interests they may have in the business on the agenda. No interests were declared.

**55. MINUTES**

RESOLVED: That the minutes of the meeting held on 20 February 2007 be approved and signed by the Chair as a correct record subject to the following amendments:

- (i) Minute 48a be amended to read "Cllr Hopton.....supported a 4 armed roundabout"
- (ii) Minute 48a be amended to read "Cllr Macdonald.....requested a condition regarding *dark sky* if Members....."

**56. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak, under the Council's Public Participation Scheme, in general issues within the remit of this committee.

**57. PLANS LIST**

Members considered reports of the Assistant Director, Planning and Sustainable Development, relating to the following planning applications, outlining the proposals and relevant considerations and setting out the views and advice of consultees and officers.

**57a North Of England Clay Target Centre Tinker Lane Rufforth York YO23 3RR (06/02868/FULM)**

Members considered a major full application, submitted by Philip Thompson, for the construction of a 9 hole golf course and fishing lake (resubmission).

Officers updated that two further letters of objection had been submitted, and that Marston Moor Internal Drainage Board had no objections to the proposals. They also detailed the plans details to be included in condition 2 of the report, and recommended that if Members were minded to approve the application they would suggest an additional condition regarding details of the start and finish area to be submitted and an additional condition regarding the submission of a detailed phasing plan to be submitted each year. Written representations from a resident of Hessay were tabled at the meeting, regarding the scale of the development and the environmental, visual and noise impact of the proposals.

Members discussed the possible effect of the proposal on the trees and requested that an informative be included regarding planting.

RESOLVED: That the application be approved subject to the conditions and informatives outlined in the report and the following additional conditions and informative:

2 The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-

800.2L - Landscape Plan

800.2 - Land Drainage

HAR-GE00-YO512-001 - Temporary Access Roads for Golf Course Development

or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

22 Prior to the commencement of the development, details of the start and finish area (hatched in brown on plan 800.2 L "Landscaping Plan") shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of clarity and visual amenity.

Informative : 5. Bunding and tree planting on this scale will often prohibit the drying effects of the prevailing wind on neighbouring agricultural land, consideration should be given to this when implementing any future planting schemes.

REASON: The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity, environmental/landscape issues, flooding/drainage, highway issues and its impact upon the designated Green Belt. As such the proposal complies with PPS1, PPG2, PPs7, PPs9, PPG13, PPG17, PPS25 and Policies L3, GB3, MW1, T4, GP4a, NE1, NE3, GP15a, of the City of York Development Control Draft Local Plan.

**57b Site At The Junction A1237 And Wigginton Road Wigginton York (06/02857/FULM)**

Members considered a major full application, submitted by CSSC Properties Ltd, for the erection of sports complex comprising 2 storey building including swimming pool, outdoor facilities for cricket, football and tennis, car and cycle parking, landscaping and access from Stirling Road.

Officers updated that paragraph 4.17 of the report should be amended to read:

As noted in paragraph 5 of the Inspector's report, a Unilateral Planning Undertaking has been signed to secure the free use of the football pitches and the cricket square for local schools throughout extensive off-peak hours \* on each weekday; the same applies to the 5 a-side pitches, **7 a-side pitches and changing rooms for external activities**. Moreover, any surplus provision would be offered to community groups at rates equivalent to the fees charged for the use of public facilities. A condition has also been imposed to "secure the provision of many facilities on a 'pay and play' basis by non-club member".

\*Off-peak hours means 9 am to 12 noon and 2 pm to 4 pm.

Representations were received in support of the application from the agent for the applicant. He stated that the proposal represented a significant investment in sport and recreation, providing both indoor and outdoor facilities. The facilities would be available for community use and on a 'pay and play' basis.

Members discussed the removal of the squash courts which were included in the earlier application, bus service provision, cycle schemes, the use of the facilities by schools, the size of the swimming pool, landscaping details, lighting, and BREEAM (environmental) rating. They raised their concerns about the application being in the green belt.

Members discussed the inclusion of a height condition, the amendment of condition 15 regarding landscaping, that the lighting condition be amended to include the protection of Dark Sky, and the inclusion of an informative regarding the level of BREEAM rating.

RESOLVED: That the application be approved subject to the conditions and informatives included in the report and subject to the following additional and amended conditions and informative:

15 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced (in perpetuity) with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

30 Prior to the development hereby approved coming into use details of any scheme for illumination of all external areas of the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented on site. This scheme shall be in accordance with the current Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light GN01.

Reason: To protect the living conditions of the nearby residential properties and to prevent light pollution.

31 Prior to the development hereby approved coming into use details of the illumination of the outdoor sports pitch the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed scheme implemented and maintained on site. This scheme shall be in accordance with the current Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light GN01. Such a scheme should include the following:

- a contour map with illumination levels of the area to be lit and the spill beyond the lit area given in lux in the horizontal plane;
- the angle of the lights and details of the beam - whether asymmetric or otherwise;
- the height of the lighting stanchions; and the luminance level in lux in the vertical plane at the windows of the nearest residential properties.

Reason: To protect the living conditions of the nearby residential properties and to prevent light pollution.

43 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 9.5 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

Informative : 9. You are informed that the development hereby approved should aim to achieve a BREEAM "very good" or "excellent" assessment standard.

REASON: The proposal, subject to the conditions listed in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to the vitality and viability of York City Centre and district centres, sustainability, Green Belt development, flood risk, access and traffic considerations and visual amenity. As such the proposal complies with Policies SP2, SP6, SP7a, SP8, GP1, GP3, GP4a, GP5, GP9, GP11, GP15a, HE10, NE7, GB1, GB13, T4, T7b, T13a, T18, L1a, V1, V2 and C1 of the City of York Local Plan Deposit Draft.

## **58. LICENSING ACT 2003, ONE YEAR ON**

Members considered a report that analysed the first years implementation of the Licensing Act 2003, i.e. 24 November 2005 – 23 November 2006. The report was referred by the Licensing Act Committee to inform Members of the Planning Committee of relevant issues which have arisen from the analysis and in accordance with statutory guidance contained in the Licensing Act 2005.

Members discussed the number of hearings, the rules relating to Ward Members being able to speak at a hearing, the imposition on voluntary activities e.g. village halls, and the improvement in terms of child/family friendly issues. They also received information on the reduction in drink-related crime and conditions imposed regarding CCTV and taxi marshals. Members also discussed the impact of the future smoking ban in relation to requests for variations of premises licences. Members raised their concerns regarding the conflict between planning and licensing matters.

RESOLVED :           (i)     That the report be noted;  
                             (ii)     That thanks be passed to Dick Hasswell and the Licensing team for the work which has been carried out in this area.

REASON:                To inform Members.

COUNCILLOR R WATSON  
CHAIR

The meeting started at 4.30 pm and finished at 6.00 pm.

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