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Meeting	Planning Committee
Date	16 November 2017
Present	Councillors Reid, Cullwick, Cuthbertson, D'Agorne, Dew, Doughty, Funnell, Galvin, Looker, Pavlovic, Richardson, Shepherd and Flinders (Substitute)
Apologies	Councillors Warters

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#### 4. Site Visits

Application	Reason	In attendance
Beechwood Grange Caravan Club Site Malton Road Huntington York	To familiarise Members with the site.	Councillors Ayre, Cullwick, D'Agorne, Dew, Galvin, Pavlovic, Richardson and Shepherd
Severus SRE Site Lindsey Avenue York	To familiarise Members with the site.	Councillors Ayre, Cullwick, D'Agorne, Dew, Galvin, Pavlovic, Richardson and Shepherd
Site Of Former Fordlands House 1 Fordlands Road York	To familiarise Members with the site.	Councillors Ayre, Cullwick, D'Agorne, Dew, Galvin, Pavlovic, Richardson and Shepherd

#### 5. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may

have in respect of business on the agenda. Cllr Doughty declared a personal interest in the Severus SRE Site application as he had been a potential buyer for one of the houses that backed onto the site.

**6. Minutes**

Resolved: That the minutes of the meetings held on 18 October and 25 October be approved and then signed by the chair as a correct record.

**7. Public Participation**

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.

**8. Plans List**

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

**8a Beechwood Grange Caravan Club Site, Malton Road, York (17/02263/FUL)**

Members considered a full application from Miss Awa Sarr for the provision of an additional 26 serviced all-weather pitches, accessed by new tarmac road and the installation of new service point with bin store, water and drainage pump at the Beechwood Grange Caravan Club.

Officers advised Members that since publication of the committee report, the applicant had submitted a drainage strategy for the development. This had been assessed by the council's flood risk officers, who were content that drainage matters could be dealt with by conditions of approval if planning permission was granted.

Members noted the flood risk officers' comments and revised recommendation that the reason for refusal remained as

detailed in the report with the deletion of 'potential harm to drainage infrastructure and downstream watercourses.'

Members considered the application and were advised that there needed to be very special circumstances for approval of an application for inappropriate development in the Green Belt.

Following consideration of the application it was:

Resolved: That the application be refused.

Reason: Policy YH9 and Y1 of the Yorkshire and Humber Plan - Regional Spatial Strategy to 2026 defines the general extent of the Green Belt around York with an outer boundary about 6 miles from the city centre. Beechwood Grange lies within the general extent of the Green Belt. The proposed siting of 26 serviced caravan pitches, the internal access road and the ancillary structures constitute inappropriate development in the Green Belt and are, by definition, harmful to the Green Belt as set out in section 9 of the National Planning Policy Framework. No very special circumstances have been put forward by the applicant that would outweigh harm by reason of inappropriateness and other harm including impact on openness, conflict with the purposes of including land within Green Belt and conflict with sustainable transport objectives. The proposal is therefore contrary to national planning policy in the National Planning Policy Framework, in particular 'Core Planning Principles', 'Achieving Sustainable Development' and section 9 'Protecting Green Belt Land'.

**8b Severus SRE Site, Lindsey Avenue, York (17/02006/OUTM)**

Members considered a major outline application from Yorkshire Housing for the erection of 43 affordable dwellings at the Severus SRE Site.

Officers provided an update to Members. Members were advised that that further responses had been received. Public Health (Sport and Active Leisure) had objected to the proposal due to the lack of on site open space provision. There had also

been a further eleven letters of objection received which cited harm to the historic city, harm to local biodiversity (by virtue of the loss of a Site of Interest of Nature Conservation - SINC) and harm to the safety and local highway users through increased traffic to the site. Yorkshire Wildlife Trust also objected to the ruining of a wildlife oasis.

Members were advised of a correction to 4.17 of the report that should have stated that “The proposal envisages the erection of 43 affordable dwellings with 30 “affordable rent” and 13 shared ownership.”

Officers further advised that senior housing colleagues had commented in general in terms of the need for affordable housing and the likely Homes and Communities Agency support for the type of scheme.

Jane Levy, a local resident, spoke in objection to the application. She noted the impact of the development on the ecology and explained the reasons why Yorkshire Wildlife Trust objected to the application.

Jesper Phillips, a local resident, spoke in objection to the application. He noted the site’s listing as a SINC and detrimental effect of the development on local residents.

David Ryder, a local resident, spoke in objection to the application. He highlighted a number of points relating to the impact of the development on the residential amenity.

Cllr Cannon, Ward Councillor for Holgate, spoke in support of the officer recommendation to refuse the application, listing the reasons for the recommendation as detailed in the report.

Kester Horn (Space Partnerships), agent for the applicant, spoke in support of the application. He noted that the objections to the application did not mitigate the need to affordable housing. He asked the Committee to defer the application.

Officers were asked and clarified that the application should not be deferred as a new application would be required for such extensive changes.

Following consideration of the application it was:

Resolved: That the application be refused.

Reasons:

- i. The development by virtue of its design and location would give rise to conditions substantially prejudicial to the residential amenity of Numbers 25-29 Howe Hill Close by virtue of overbearing impact and loss of privacy contrary to Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework, "Core Planning Principles".
- ii. The development by virtue of its proximity to the retained water storage tower on adjacent land to the north west would result in conditions substantially prejudicial to the residential amenity of prospective occupants of Plots 34 -38 by virtue of overbearing impact contrary to Central Government Planning Policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles".
- iii. The proposed development by virtue of the total removal of a notified SINC (Site of Interest for Nature Conservation) with associated woodland habitat without clear and robust mitigation measures would give rise to very substantial harm to local biodiversity contrary to Central Government Planning Policy as outlined in paragraph 118 of the National Planning Policy Framework.
- iv. The development would give rise to a substandard highway layout to the prejudice of the safety and convenience of highway users with the driveways serving plots 8, 10, 20-23, 31 and 32 incapable of reasonable vehicular use by their occupiers.
- v. The development by virtue of its visual prominence combined with its engineered, regimented character and total loss of

surrounding landscaping would give rise to substantial harm to the wider landscape setting of the City contrary to Central Government Planning Policy as outlined in paragraph 61 of the National Planning Policy Framework.

- vi. The development by virtue of its overly-dense, physically constrained nature, erosion of the existing landscaped character of the site, lack of opportunity to provide additional landscaping and amenity space and failure to address acceptable amenity separation distances fails to achieve an acceptable quality of design contrary to Central Government Planning Policy as outlined in paragraph 64 of the National Planning Policy Framework.
- vii. Insufficient information has been submitted with the proposal to enable an informed assessment of the impact of the proposal upon known significant archaeological deposits of Roman date known to be present within the site together with any necessary mitigation measures.

**8c Land To The South Of Keepers Cottage Intake Lane, Dunnington, York (17/00893/FUL)**

Members considered a full application from Mr Andrew Cole for the erection of entrance gates, one agricultural store, one field shelter, and shooting platform (retrospective) on the Land To The South Of Keepers Cottage, Intake Lane, Dunnington.

Members were advised that the application could not be considered as the incorrect Parish Council had been consulted with. Therefore, it was:

Resolved: That the application be deferred.

Reason: In order for the correct Parish Council (Kexby Parish Council) be consulted.

**8d Site Of Former Fordlands House, 1 Fordlands Road, York (17/01969/FULM)**

Members considered a major full application from Octopus Healthcare Developments Ltd for the erection of a 64 bedroom care home, car parking and landscaping following the demolition of existing care home provision at the site of the former Fordlands House.

Officers provided an update to Members, updating them on the Flood Risk and Sequential Test, further response from an interested party, and Design Conservation and Sustainable Development (Landscape). Following these updates, Officers recommended that additional conditions be added to cover protection of existing trees, tree planting details including kerbs and parking bays and a detailed landscaping scheme. They also advised that an additional Informative be included regarding the use of a landscape architect.

Officers further recommended that due to the potential for odour associated with cooking of food in the kitchen of the care home affecting nearby residential properties, an additional condition in relation to potential cooking smells be added.

Members were advised of the Network Management (Highway) consultation response which stated that:

1. The proposed development creates a one way thoroughfare through the site with a new access parking and servicing. The access is close to the existing site access to the north of the site with suitable visibility for public footpath users.
2. Work will include tying into the adjacent public footpaths and relocation of the lighting column. Appropriate intervisibility between users of the public footpaths and the egress is to be improved by reducing the vegetation to the north east.
3. A marginal increase in traffic is expected, however it is not envisaged that this will be detrimental to the highway network. A pedestrian crossing is to be provided on the desire line to the opposite footpath.
4. The site is in a sustainable location with frequent bus service to the City centre/Designer Outlet park and ride. The applicant has agreed to fund improvements to the BLISS screen to make public transport more attractive.
5. Cyclists are will catered for, and storage will be provided on site.
6. Car parking is in accordance with CYC maximum standards

and supported by a transport statement. A commitment to travel planning will ensure that the development is unlikely to have an adverse impact on the locality in terms of parking.

Network Management (Highways) therefore recommended an additional condition in relation to improvements to the bus stop.

Mary Urmston, Chair of Fulford Parish Council Planning Committee, spoke in objection to the application. She questioned the figures used in the Flood Risk Sequential Test and asked Members to defer the application.

Eamon Keogh, agent for the applicant, spoke in support of the application. He emphasised the need for care home spaces and noted that there was a limited supply of suitable sites in York.

Officers clarified the following points in response to Member questions:

- The revised plans showed that views of the building were limited.
- The Sequential Test had been met.
- The replacement of trees for bat foraging was included in Condition 15.
- The proposal adequately dealt with the flood risk.

Following consideration by Members it was:

Resolved: That the application be approved subject to the conditions listed in the report and the additional conditions below:

#### Additional Condition

Before the commencement of development including demolition, excavations, and building operations, an Arboricultural Method Statement (AMS) in accordance with British Standard BS 5837, regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Amongst others, this statement shall include details and locations of protective fencing, site rules and prohibitions, phasing of works, site access during demolition/construction, types of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading), parking arrangements for site vehicles, locations for stored materials, locations and means of installing utilities, location of site



compound and marketing suite. The document shall also include methodology and construction details and existing and proposed levels where a change in surface material and boundary treatments is proposed within the root protection area of existing trees. A copy of the document will be available for inspection on site at all times.

Reason: To protect existing trees which are covered by a Tree Preservation Order and/or are considered to make a significant contribution to the amenity of this area and/or development.

Additional Condition

No development shall take place until there has been submitted and approved in writing by the Local Planning Authority all tree planting details including kerbs and parking bays where these are related.

Reason: To ensure that the trees are able to survive and thrive and are able to perform as intended within the approved landscape scheme.

Additional Condition

The development shall not be occupied 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 within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority. For clarification, this shall include details of all hedging.

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

Additional Informative to use a Landscape architect

It is recommended that the services of a landscape architect are employed to oversee the landscape contract on site, in order to ensure that the ground preparation and planting are carried out

to a satisfactory standard and are in strict accordance with the approved drawings.

Additional Condition (Public Protection)

there shall be adequate facilities for the treatment and extraction of cooking odours. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained and serviced thereafter in accordance with manufacturer guidelines.

It is recommended that the applicant refers to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005) for further advice on how to comply with this condition. The applicant shall provide information on the location and level of the proposed extraction discharge, the proximity of receptors, size of kitchen or number of covers, and the types of food proposed. A risk assessment in accordance with Annex C of the DEFRA guidance shall then be undertaken to determine the level of odour control required. Details should then be provided on the location and size/capacity of any proposed methods of odour control, such as filters, electrostatic precipitation, carbon filters, ultraviolet light/ozone treatment, or odour neutraliser, and include details on the predicted air flow rates in m<sup>3</sup>/s throughout the extraction system.

Reason: To protect the amenity of nearby properties and the environmental qualities of the area

Additional Condition (Highway)

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.

\*Provision of a BLISS real time display screen at the inbound bus stop on Main Street Fulford.

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

Cllr N Ayre, Chair  
[The meeting started at 4.30 pm and finished at 7.30 pm].

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