
Meeting	Planning Committee B
Date	24 March 2025
Present	Councillors B Burton (Chair), Cullwick (Vice-Chair), Baxter, Fenton, Melly, Orrell, Warters and Merrett (Substitute)
Officers Present	Gareth Arnold, Development Manager Jonathan Kenyon, Principal Officer, Development Management Jodi Ingram, Lawyer (Planning)

66. Apologies for Absence (4.32 pm)

Apologies had been received from Cllr Nelson and she was substituted by Cllr Merrett.

67. Declarations of Interest (4.32 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registrable interests that they might have in the business on the agenda, if they had not already done so in advance on the Register of Interests.

None were declared.

68. Minutes (4.32 pm)

Resolved: That the minutes of the last two meetings held on 30 January 2025 and 26 February 2025 were approved as a correct record.

69. Public Participation (4.33 pm)

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

70. Plans List (4.33 pm)

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

**71. 5 Main Street, Heslington, York, YO10 5EA
[24/01377/FULM] (4.33 pm)**

Members considered a major full application by Miranda Lam for the change of use of offices (use class E) to 25no. bed purpose-built student accommodation, erection of a single storey extension to The Hive and associated external works.

The Development Manager gave a presentation on the plans and provided an update to the officer report noting an additional condition as follows:

The first-floor windows on the northwest facing elevation, on the rear wing of no.5 Main Street (to the corridor and bedroom 33 as shown on the approved floor plans) shall be obscure glazed at all times.

Reason: to avoid undue overlooking of neighbouring gardens, in accordance with Local Plan policy D1: Placemaking.

Public speakers

Nicholas Allen spoke in objection to the application on behalf of the Heslington Village Trust. He referred to the Village Design Statement which provided supplementary planning guidance and Neighbourhood Plan, which was yet to be adopted, noting that affordable housing for local residents was considered a priority. He stated that student housing would be detrimental to resident amenity.

In response to Member questions, he stated that the Parish Council withdrew the Neighbourhood plan, and it was being redrafted.

David Blacketer, also spoke in objection to the application, on behalf of Heslington Parish Council. He spoke about the village atmosphere and high street landscape noting it had been unchanged for hundreds of years. He raised concerns about the development not contributing to public benefit and the level of harm it would bring to Main Street. He urged the committee to refuse the application.

Miranda Lam, the applicant, spoke in support of the applicant and explained that they were experienced in providing safe student accommodation, there would be a student management plan in place to manage behaviour and complaints, with two property managers, cleaners and welfare officers. She stated that there was a serious shortfall in university accommodation.

In response to questions from Members, she stated that 18 months marketing of the site was not mandatory but that in addition to the seven

months stated in the officer report, there had been two previous unsuccessful marketing exercises prior to this one. She also confirmed that they ran similar student accommodation in other parts of the country as well as for fifteen years on Hull Road. There had been no management issues in this time.

Officers responded to Member questions and reported that, given the context of a commercial site, the marketing period had been judged to be reasonable; there had been no serious interest in or offers on the site. Officers had no knowledge of prior marketing activity. There was a different policy relating to marketing which covered the loss of a pub. The Neighbourhood Plan had been withdrawn and there was no resubmission date. As the building was vacant there was no requirement for affordable housing or for s106 funding. Officers identified, in terms of applying policy H7, there was a strong need in providing student accommodation for future growth. There were no planning applications coming through from the University.

Following debate, Cllr Cullwick proposed the officer recommendation to approve the application. This was seconded by the Chair and on being put to a vote, Members voted unanimously against the proposal.

Following further debate, Cllr Warter proposed deferral to allow further information to be provided in relation to marketing and regarding the provision of student accommodation on campus in accordance with Student Housing Policy H7 (i). This was seconded by Cllr Orrell. Members voted in favour of the proposal to defer the item, and it was therefore:

Resolved: That the application be deferred.

Reason: To provide the committee with further information relating to the marketing that had been undertaken and the provision of on-site student accommodation in accordance with Student Housing Policy H7(i).

72. 5 Main Street, Heslington, York, YO10 5EA, [24/01378/LBC] (4.33 pm)

Following the deferral of Item 5a, Cllr Cullwick proposed deferral of the associated listed building consent application contained at Item 5b. The Chair seconded this proposal and Members voted unanimously in favour, and it was therefore:

Resolved: That the application be deferred.

Reason: That this application needed to be considered alongside the related major full application.

73. St Oswalds Church of England Primary School, Heslington Lane, York, YO10 4LX [24/01931/FUL] (5.37 pm)

Members considered a full application by Jonathan Ramsey for a single storey side extension, new pedestrian access gates and paving, alterations to hard and soft landscaping, and siting of PV solar array to main roof.

The Development Manager gave a presentation on the plans and subsequently confirmed that there was no update to the Officer report. There were no questions from Members on the plans.

Public Speaker

Claire Sinclair, Vice-Chair of the school governors, spoke in support of the application. She explained changes in need at the school had meant that the current space had been filled and two extra classrooms would be required. She described the school's plans to minimise the traffic impact by introducing a pedestrian entrance and actively encouraging walking to school.

She responded to questions and explained that the new pedestrian entrance was to be used by all pupils. She noted the difficulties in forecasting use of the new entrance and the reduction in walking time. She explained that the Council was responsible for managing the Published Admission Number (PAN) and there were no current plans to increase overall pupil numbers at the school.

During questions to officers, it was reported that, if the Committee were minded, condition 11 could be amended to ensure the retention of cycle parking in perpetuity of the site.

Cllr Warters proposed the officer recommendation to approve, subject to the above amendment to condition 11. This was seconded by Cllr Cullwick. On being put to a vote, Members voted unanimously in favour, and it was

Resolved: That the application be approved, subject to the conditions in the report and the amendment to condition 11 as outlined above.

Reason: The proposed works will respect the general character of the site and area and the impact on the amenity of neighbouring residents and the highway network would be acceptable. It is considered it complies with the City of York Local Plan and national planning guidance, as contained in the National Planning Policy Framework.

74. Site at Junction of Osbaldwick Road and Hull Road, Osbaldwick, York [24/01851/FULM] (5.53 pm)

Members considered a major full application by Mr Strakosias for the erection of 2no. battery storage facilities, with 1no. facility of 40no. battery storage units within the existing Osbaldwick substation area and 1no. facility of 4no. battery storage units on land to the east of the sub-station, with ancillary structures and infrastructure, associated vehicle accesses, including new access track, and enclosed by 3 metre high palisade security fencing, 3.5 metre high acoustic barrier, and with 5.1 metre high lighting and CCTV columns.

The Development Manager gave a presentation on the plans for the battery storage facilities and provided the committee with an update to the officer report noting the consultation response from Osbaldwick Parish Council and the following changes to the conditions:

- Condition 6 was deleted.
- Additional landscaping condition:
The development shall not be used for energy storage purposes until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme for the 7MW battery energy storage system 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 within the lifespan of the development 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.

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.

The section of the report outlining the special circumstances for building on the greenbelt was identified for Members.

Public Speaker

Louise Leyland, the agent for the applicant, spoke in support of the application. She highlighted the applicant's experience with this type of development and noted the limited impact on the green belt. She reported that the applicant owns all the land and noted that the benefits of providing resilience to the UK grid.

In response to questions from Members she explained that the storage units had not yet been procured and that white was best for keeping units cool. The agent agreed that the landscaping could be implemented earlier and noted that it had already commenced. She reported that the tree belt was not within the applicant's site.

Officers advised that, in relation to the tree belt, a planning condition could not be imposed on a third party and that any undertaking would be a private property matter carrying no weight. The shelter belt was longstanding and there were no grounds for Members to defer the application based on ownership of the tree belt.

Members considered the conditions relating to the colour of the units, the landscaping condition and lighting and during debate they proposed to include a condition relating to the colour (matt dark green) of the units for the small site and request that details be submitted to officers for approval for the additional units on the larger site. They proposed an amendment to the wording of the landscaping for it to start within six months of the commencement of the project rather than the conclusion and finally, they proposed to include a condition on the lighting scheme at the site.

In addition, the Chair agreed to request, on behalf of the committee, an area Tree Preservation Order (TPO) on the shelter belt in question.

The Chair proposed the officer recommendation subject to the update and conditions outlined above and this was seconded by Cllr Melly. On being put to a vote, Members voted unanimously in favour and it was:

Resolved: That the application be approved subject to the update and additional conditions relating to the colour and finish of the containers, the lighting scheme and the amendment to the landscaping condition as outlined above.

Reason: The battery storage facilities will provide electricity directly to National Grid to help balance the UK's energy supply

through harnessing energy and releasing it as required to ensure the frequency of National Grid is maintained at 50Hz. Supporting sustainable renewable energy generation and associated infrastructure is a key principle in planning policy and significant weight has therefore been given to the principle of the development.

The smaller BESS facility is within the Green Belt. While it is concluded that the BESS is inappropriate development in the Green Belt by definition, very special circumstances are considered to apply as there is a demonstrable unmet need for the type of development which needs to be sited in a location where an available connection into the National Grid exists. The development will support renewable energy infrastructure which will contribute to the need to reduce carbon emissions and tackle climate change. This is given significant weight in the planning balance as per paragraph 168 of the NPPF. The considerations set out paragraphs 5.38 to 5.40 clearly outweigh the harm to the Green Belt and other identified harms. Consequently, very special circumstances exist to justify the inappropriate development in the Green Belt.

The visual and landscape impact of the two BESS facilities together is not considered to result in minor harm. There is general compliance with policies D1 and D2 of the CYC Local Plan.

There are no significant impacts on public protection, ecological or archaeological grounds, subject to conditions. As such, the proposals are considered to be in accordance with relevant sections of the NPPF; particularly section 14 on climate change and section 15 on conserving and enhancing the natural environment. It is also found to be in accordance with policies DP2 Sustainable development and CC1 on renewable energy of the City of York Local Plan.

Cllr B Burton, Chair

[The meeting started at 4.31 pm and finished at 6.51 pm].