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MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	19 DECEMBER 2007
PRESENT	COUNCILLORS MOORE (CHAIR), CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, FUNNELL, KING, WISEMAN, MORLEY (SUBSTITUTE) AND D'AGORNE (SUBSTITUTE)
APOLOGIES	COUNCILLORS HYMAN, TAYLOR AND VASSIE

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### INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Helmsdale, York Road, Strensall	Cllrs Moore, Douglas and Wiseman	Because objections have been received and the application is recommended for approval.
Brinkworth Rush, Elvington Airfield	Cllrs Moore, Douglas and Wiseman	Because objections have been received and the application is recommended for approval.

#### 70. DECLARATIONS OF INTEREST

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

#### 71. 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 issues within the remit of the Sub-Committee.

#### 72. PLANS LIST

Members considered a schedule of reports of the Assistant Director (Planning and Sustainable Development), relating to the following planning

applications, outlining the proposals and relevant policy considerations and setting out the views and advice of consultees and officers.

**72a Helmsdale, York Road, Strensall, York YO32 5UN (07/02633/FUL)**

Members considered a full application, re-submitted by Mr and Mrs A M Cutler, for the erection of two detached two-storey dwellings after demolition of an existing bungalow.

Officers provided an update on the following matters:

- Comments of Yorkshire Water. These re-iterated their comments in respect of a previous application for this site (06/02531/FUL); that is, that they had no objections to the application but recommended additional conditions in respect of drainage.
- The Countryside Officer's inspection of the site for the presence of bats. There was a possibility, but not a strong likelihood, that bats were present. If the application was approved, an informative would be issued on action to be taken should bats be found during construction work on the site.
- Plans. Updated plans of the proposed development were circulated at the meeting.

Written comments from an objector to the application were circulated to Members. These raised concerns regarding highways, drainage and flooding issues as well as concerns about overlooking the objector's property, which he indicated had not been addressed in the Officer report.

The applicant was present during consideration of the application, but declined to speak in the absence of any registered speakers in objection.

**RESOLVED:** That the application be approved, subject to the conditions listed in the report and the following additional and amended conditions and Informative:

Amended Condition 5: Details of all means of enclosure to the site boundaries shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

Additional Condition 22: Unless otherwise agreed in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

Additional Condition 23: The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interests of satisfactory and sustainable drainage.

Additional Informative 6

The City of York Council Sustainability Officer, Kristina Peat, can be contacted on 01904 551666 should any information be required regarding sustainable drainage methods.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions referred to above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene and the living conditions of neighbours. As such, the proposal complies with Policies GP1, GP4A, GP10, H4A, H5A, L1C and HE3 of the City of York Draft Local Plan.

Action Required

Issue the decision notice and include on the weekly planning JB decision list within the agreed timescales.

**72b Brinkworth Rush, Elvington Airfield Network, Elvington, York YO41 4AU (07/02015/FULM)**

Members considered a full application, re-submitted by York Mailing Limited, for the erection of a new production and warehouse building, with a car park extension.

Officers provided an update on the following matters:

- Comments had been received from york-england.com in support of the application.
- Third parties - a further letter had been received from Solicitors representing the owners of adjacent land, re-iterating the comments referred to in paragraph 3.8 of the report and also noted that parking provision was inadequate for the proposed development.
- The Countryside Officer recommended two additional conditions, should the application be approved, in relation to safeguarding the Great Crested Newt habitat and landscaping.
- Large scale plans of the proposed development were made available at the meeting.

Representations were made at the meeting by the Applicant, who explained that the development was needed in order to accommodate

larger and more efficient printers and consequent paper storage, to ensure that his company could remain competitive in its current location. This was a long-term prospect, which would provide additional employment in the local area.

During their debate, Members focused on the issue of whether very special circumstances existed which would outweigh the harm caused by inappropriate development in the Green Belt. They acknowledged the need to achieve a balance between safeguarding the Green Belt and supporting an established local business which would provide employment opportunities. They noted that this was an extension to an existing business rather than a new build and that the building would be well screened and not visible from the highway.

Following the debate, Cllr King moved, and Cllr D'Agorne seconded, that the application be refused, on the grounds that the Applicant had not demonstrated 'very special circumstances' sufficient to outweigh the harm to the Green Belt. On being put to the vote, this motion was declared lost (2 Members voting for and 7 against the motion).

Cllr Moore then moved, and Cllr Cregan seconded, that the application be approved, subject to referral to the Secretary of State and subject to the conditions listed in the report and to certain additional and amended conditions and Informative. On being put to the vote, this motion was declared carried (7 Members voting for the motion and 2 against. Cllrs King and D'Agorne asked that their votes against the motion be recorded.

**RESOLVED:** That the application be approved after referral to the Secretary of State, subject to the conditions listed in the report and the following amended and additional conditions and Informative:

Amended Condition 6: Prior to the occupation of the site, a full company travel plan shall have been submitted and approved in writing by the Local Planning Authority. The travel plan shall include those measures that will be carried out by the occupier to reduce dependence on the private car and encourage sustainable means of travel to and from the site. Within 12 months of occupation of the site a first year staff travel survey shall have been submitted to and approved in writing by the Local Planning Authority. Results of the yearly staff travel surveys shall then be submitted annually to the Local Planning Authority for approval.

**Reason:** To ensure the development complies with the advice contained in PPG13 – Transport, and in Policy T20 of the City of York Deposit Draft Local Plan, and to ensure that adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with the provision of parking on site for these users.

Additional Condition 9: Notwithstanding the submitted details, no development shall commence on site until full details of a Great Crested Newt mitigation plan to offset the impact of development has been submitted to and approved in writing by the Council. The plan should include details of:

- (i) Further survey, if appropriate, to determine the extent of the overall Great Crested Newt meta-population.
- (ii) A Wildlife Protection Plan of how development work is to be carried out to take account of the presence of Great Crested Newt.
- (iii) Details of what mitigation / compensation provision is to be made to replace both the aquatic and terrestrial habitat lost through development to ensure there is no significant impact on the overall meta-population.
- (iv) The timing of all operations.

The work shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Council.

Reason: To take account of and enhance habitat for a protected species.

Additional Condition 10: 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 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.

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

Informative

The site is in the Green Belt and planning permission has only been granted in this instance on the basis that this is a consolidation of an existing business where, due to the specific nature and constraints of the current operation undertaken at the site, it is felt that relocation elsewhere is inappropriate. Therefore very special circumstances exist in this specific case which outweigh the harm to the Green Belt. However, it is unlikely that any additional development will be approved unless further very special circumstances can be proven.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions referred to above, would not cause

undue harm to interests of acknowledged importance, with particular reference to the Green Belt, the protection of protected species and sustainability. As such, the proposal complies with Policy E8 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies GB1, GB11, NE1, NE2 and NE6 of the City of York Draft Local Plan incorporating the 4<sup>th</sup> set of changes, approved April 2005.

Action Required

Issue the decision notice and include on the weekly planning JB decision list within the agreed timescales.

R MOORE, Chair

[The meeting started at 2.00 pm and finished at 3.15 pm].