
MEETING	EAST AREA PLANNING SUB-COMMITTEE
DATE	7 MAY 2009
PRESENT	COUNCILLORS CREGAN (VICE-CHAIR), DOUGLAS, FIRTH, MOORE, TAYLOR AND WISEMAN
APOLOGIES	COUNCILLORS HYMAN, FUNNELL, KING AND ORRELL

81. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda.

Councillor Firth declared a personal non prejudicial interest in agenda item 4b as he had been present at a meeting of Wigginton Parish Council at which a presentation had been given regarding the scheme. No decisions had been made at that meeting.

82. MINUTES

RESOLVED: That the minutes of the meetings of the Sub-Committee held on 12 March 2009 and 9 April 2009 be approved as a correct record and be signed by the Chair.

83. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak under public participation.

Mr. Tom Hughes spoke in relation to the Land to the West of Metcalfe Lane, Osbaldwick, York. He spoke in relation to an application that had been considered at the previous meeting of the Sub-Committee for a Community Facility on the land. He queried why, in his opinion, Planning Officers appeared to be ignoring Government Legislation concerning development on Green Belt land.

He also queried why the applicant could submit full applications for new proposals when the original outline application, approved by the Secretary of State, had clearly set out matters that were reserved for future approval. Officers explained, notwithstanding the approval of outline planning permission, there was no legal reason to prevent the submission of full applications for alternative proposals or variations from the original outline consent. The Council cannot refuse to determine such applications, which have to be determined on their own merits.

84. PLANS LIST

84a 2 Millford Mews, Haxby, York, YO32 3HY. (09/00387/FUL).

Members considered an application for a single storey pitched roof side extension on a detached property at 2 Millford Mews, Haxby.

Officers updated that due to the nature of the area and the property being situated in an enclave, the property had Permitted Development Rights removed under Planning Application Reference 3/57/7793/OA and that this extension would otherwise have been permitted development. Officers confirmed that the Oak Tree situated next to the property is covered by a Tree Preservation Order.

Members queried whether a condition regarding noise could be added if the proposal was approved, due to the property being situated at the bottom of a cul-de-sac. Officers confirmed this would be possible.

RESOLVED: That the application be approved subject to the conditions listed in the Officers report and the following additional condition:¹

Condition 5 – The hours of construction, loading or unloading on the site shall be confined to 8:00 to 18:00 Monday-Friday, 9:00 to 13:00 Saturday and no working on Sundays or public holidays.

Reason – To protect the amenities of adjacent residents.

REASON: In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance with particular reference to the impact on the residential amenity of adjacent occupiers and the impact on the streetscene. As such the proposal complies with Policies GP1 and H7 of the City of York Development and Control Local Plan and the Councils Supplementary Planning Guidance “Guide to extensions and alterations to private dwelling houses”.

Action Required

1. issue the decision notice and include on the weekly planning decision list within the agreed timescales.

SS

84b Wigginton Cottage Farm, Wigginton Road, Wigginton, York, YO32 2RH. (09/00095/FUL).

Members considered a full application for the drilling of bore holes for the testing, appraisal and operation of a coal bed methane production plant and associated works.

Officers advised that there was an error in the Agenda on page 39. Condition 2 should read “.23 years from the date of commencement in accordance with a scheme approved under condition 26”, and not condition 28 as stated.

Representations in objection to the application were heard from a local resident who felt that the height of the rig would be too imposing and that there was no evidence that the applicant had searched for an alternative or better site.

Representations in support of the application were heard from the applicant who advised Members that this is the eighth proposal of its kind, the nearest to York being at Shipton by Beninbrough. He advised that the lighting for the drilling rig would be downward facing and that residents would suffer no noise nuisance. Other sites had been discounted due to the proximity to residential properties.

Members queried how the gas would be removed from the ground, if found. The applicant advised that it would be removed by suction and would be happy to submit a lighting scheme and a noise monitoring scheme if Members had concerns regarding any of the processes involved.

Members commented that the application is unique for York and that they were keen to find out more. A lengthy discussion was had in which Members queried the following issues with Officers and the Applicant:

- Whether the scheme would produce greenhouse gases. The applicant confirmed any gases produced would be less harmful to the environment than using methods such as transportation and pipelines.
- Whether gas is a mineral. Officers confirmed, in their view, it is a mineral.
- Employment opportunities on the site, to which the applicant replied 8 persons through local contractors.
- The number of car parking spaces. The applicant confirmed that 22 is an overestimate but necessary to avoid parking on the public highway.
- Highway Safety as Wigginton Road is a busy road.

Members queried whether a condition restricting the times Heavy Goods Vehicles could enter or leave the site could be added, Officers confirmed that it could.

Officers advised that Condition 12 could be amended to allow noise monitoring to take place, and Condition 14 to monitor lighting levels.

Overall, members were happy to approve the application with conditions. Councillor Moore abstained from the vote due to his concerns regarding the effect the scheme could have on nearby communities.

RESOLVED: That the application be approved subject to the conditions detailed in the Officers report and the following additional conditions.¹

Condition 12 – The acoustic barriers and bunds, as detailed on the proposed site layout plan, Figure 4.2 dated 9.1.09, shall be fully installed in accordance with these details, prior to drilling operations commencing, and retained as such throughout the drilling phase, unless otherwise approved in writing by the Local Planning Authority. Within 14 days of the drilling Operations commencing, monitoring at the two closest noise sensitive properties shall be carried out and the results of which shall be submitted to the Local Planning Authority. Should these noise readings be considered unacceptable to the Local Planning Authority in terms of their impact on these noise sensitive properties, within a further 14 days a revised scheme to improve the effectiveness of the acoustic barriers and bunds shall be submitted for approval to the Local Planning Authority. Once the revised scheme has been approved in writing the acoustic barriers and bunds shall be altered in accordance with the approved scheme within one calendar month and shall remain in place and be fully maintained until all of the drilling works have been completed.

Reason – In the interests of residential amenity and in accordance with Policy GP1 of the City of York Draft Local Plan.

Condition 14 – No external lighting shall be installed except in accordance with a scheme, which shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of location, height, type, orientation, intensity and timing of the lighting. The Local Planning Authority shall be advised of the date on which the lighting is to be switched on, in writing, at least 14 days prior to the date. Should the Local Planning Authority be of the view that the level of light pollution is unacceptable in terms of visual amenity and nature conservation, within 14 days of being requested, a revised lighting scheme shall be submitted for approval to the Local Planning Authority. Once the revised scheme has been approved in writing, the lighting shall be altered in accordance with the approved scheme within one

calendar month and shall be operated as such throughout the drilling period.

Reason – to minimise the visual impact of the development and to limit any impact on bats in accordance with Policies GP1 and NE6 of the City of York Draft Local Plan.

Condition 28 – No heavy goods vehicles associated with the development hereby approved shall enter or leave the site after 5pm or before 9am on any day, unless otherwise previously agreed in writing with the Local Planning

Reason – In the interests of safety and amenity of local people.

REASON:

In the opinion of the Local Planning Authority the proposal subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to;

- Impact on the openness, character and appearance of the Green Belt.
- Residential Amenity
- Nature Conservation
- Drainage
- Archaeology

Action Required

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

SS

R. Cregan, Chair

[The meeting started at 2.00 pm and finished at 2.50 pm].