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Meeting	Planning Committee
Date	18 December 2014
Present	Councillors Horton, Galvin (Vice-Chair), Ayre, Burton, Crisp, D'Agorne, Doughty, Firth, Gunnell, King, Looker, McIlveen, Reid (Chair), Simpson-Laing, Watt, Warters and Cunningham (Substitute)
Apologies	Councillors Boyce and Williams

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### 30. Site Visits

	Reason for Visit	Members Attended
Former Terry's Site	To enable members to familiarise themselves with the site.	Councillors Reid, Galvin, D'Agorne, Watt, Burton, McIlveen, Horton.
Beechwood, Malton Road.	To enable members to familiarise themselves with the site.	Councillors Reid, Galvin, D'Agorne, Watt, Burton, McIlveen and Orrell (as Ward Member).

### 31. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda.

Councillor Gunnell declared a prejudicial interest in agenda item 4a, Former Terry's Factory Site as Micklegate Ward Member. She felt that as she had been involved in various meetings and discussions with the developer she would not be able to participate in the item and would leave the room.

Councillor McIlveen declared a personal interest in agenda item 4a, Former Terrys Factory Site as his role as a Surveyor for the Northern Power Grid.

**32. Minutes**

Resolved: That the minutes of the last meeting held on 20<sup>th</sup> November 2014 be approved and signed by the chair as a correct record.

**33. Public Participation**

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

**34. Plans List**

Members then considered two reports of the Assistant Director (Development Services, Planning and Regeneration) relating to the following planning applications, which outlined the proposals and relevant planning considerations and set out the views of the consultees and officers.

**35. Former Terrys Factory Site, Bishopthorpe Road, York (14/01716/FULM)**

Consideration was given to an application by David Wilson Homes for the re-development of the remainder of the northern part of the site for the erection of 240 dwellings comprising of 79 houses and 161 apartments in six blocks with associated infrastructure.

Officers provided updates to the committee report as follows (also attached to the online agenda for this meeting):

- The Local Authorities Landscape Architect has no objections to the scheme providing adequate measures are put in place to secure the root protection area of the trees to be retained.

- Paragraph 5.2 of the committee report should read “statutory duty” instead of “presumption” and Section 72 of the Act “satisfied” rather than “secured”.
- Condition 28 should read “The detailed scheme shall be approved in writing by the Local Planning Authority and fully implemented before each building is first occupied”.
- The content of condition 30 duplicates the requirements of condition 23 in respect of a Construction Environmental Management Plan and therefore condition 30 can be dispensed with.
- Paragraph 5.3 should be amended to read “£36,640 for sustainable transport contributions”.
- Paragraphs 1.1 and 5.1 should be amended to read “229 dwellings with 79 houses and 150 apartments.”
- A briefing note regarding the height of the apartment blocks was also circulated which detailed the work carried out by Officers who were now satisfied that the heights proposed would not harm the immediate setting or views of the clocktower, nor affect the characteristic outline of the factory buildings.

Members questioned Officers on a number of points, in particular the issue of density and heights of the apartment blocks. Officers confirmed that none of the buildings in the scheme would be any higher than what was proposed in the outline application.

Tina Fowler had registered to speak as a Local Resident. She raised concerns about the number of trees being felled at the site despite the developer stating that tree felling would be limited.

Mr Huggins had registered to speak as a Local Resident. He raised concerns about the visual impact and the impact on residential amenity. He referred to the plans submitted by the developer which, in his opinion, lacked detail.

Eamonn Keogh had registered to speak on behalf of David Wilson homes. He advised that the application was a continuation of phase 1 of the scheme. Following concerns being raised about the heights of the apartment blocks steps had been taken to reduce the impact such as a reduction in height and the use of landscaping and bunds.

Members entered debate and commented that although it was acknowledged that the development would affect properties around it, members were satisfied that the developer had gone as far as possible to alleviate concerns.

**Resolved:** That the application be deferred pending the section 106 agreement and grant delegated authority to approve on completion of the section 106 agreement, subject to the conditions outlined in the Officers report.

**Reason:** The proposals would lead to the reuse of a significant site of wider townscape importance for the City for housing, partially fulfilling targets for housing provision emphasised in the National Planning Policy Framework. The amended proposals deal with concerns in respect of the relationship of the proposed apartment blocks to the setting of the retained Listed factory buildings in the southern section of the site and the impact of the proposed apartment blocks on the visual amenity of the wider street scene. The setting of the Terry's /Racecourse Conservation Area is safeguarded and the statutory presumption contained within Section 72 of the Act secured. No further material loss of mature landscaping around the site boundaries is envisaged.

The applicant has submitted a draft Section 106 Agreement to cover affordable housing, off-site open space provision (£275,976), provision of additional educational places in the locality (£750,008 ) and sustainable transport measures (£15,300) based on the adopted formulae used for calculation This is felt to be acceptable although negotiations are on-going in respect of the precise mix of units to be offered in respect of affordable housing. Overall the proposal is felt to be acceptable in planning terms and approval is recommended.

**36. Beechwood, Malton Road, Huntington, York, YO32 9TH  
(14/02112/FULM)**

Consideration was given to a full application (resubmission) by Damar Farms Limited for the use of land as a 40 pitch touring caravan site and conversion of farm buildings to form a reception, shop and manager's accommodation. Outline permission for associated shower and toilet block.

Officers reported that there was no further update to the committee report.

Raymond Barnes had registered to speak as the agent on behalf of the applicant. He referred to the increase in tourism in the York area and the subsequent increase in demand for touring caravan sites. Assuming trends were to continue, additional caravan sites would be required within the York area.

In response to questions from Members on what amounted to very special circumstances for the application being in the Green Belt the applicants agent advised that there are a shortage of caravan sites in the area and there are no suitable urban locations.

Officers confirmed that although Visit York do support the creation of caravan sites, they prefer them to be in sustainable locations and the rural nature of the site means that it is not considered to be a sustainable location.

Members entered debate and although some Members did not welcome the application due to its inappropriateness in this Green Belt location, some members felt that there were very special circumstances to outweigh the harm to the Green Belt and the application should be approved.

Following further discussion it was:

Resolved: That the application be deferred to allow officers to consider whether the application should be referred to the Secretary of State and to formulate conditions. The application will then be delegated for approval.

Reason: The proposal although inappropriate in the Green Belt and by definition harmful to it, was considered to involve Very Special Circumstances which cumulatively outweigh the harm to the Green Belt namely:-

- The unmet demand for touring caravan facilities in the York area and lack of available sites within the urban area
- The existing extensive screening of the site and the discreet location
- The proximity to public transport and proposed provision of a shuttle service from the site to the Minks Cross Park and ride site

Cllr Ann Reid, Chair

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