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MEETING	PLANNING COMMITTEE
DATE	17 DECEMBER 2007
PRESENT	COUNCILLORS R WATSON (CHAIR), SIMPSON-LAING (VICE-CHAIR), CREGAN, CRISP, D'AGORNE, FIRTH, SUE GALLOWAY, HORTON, HUDSON, JAMIESON-BALL, KING, MOORE, B WATSON, WISEMAN AND GILLIES (SUBSTITUTE)
APOLOGIES	COUNCILLORS GALVIN AND REID

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### 38. INSPECTION OF SITES

The following sites were inspected before the meeting:

Site	Attended by	Reason for Visit
Site to the rear of Ilford Close Strensall Road York	Cllrs Crisp, R Watson and Wiseman	Due to objections received

### 39. DECLARATIONS OF INTEREST

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

Cllr Crisp declared a personal and prejudicial interest in Agenda Item 4, The Nestle/Rowntree Factory Conservation Area Appraisal : Results of Consultation and Proposed Final Draft (minute 42 refers), as her husband works for Nestle, and she left the room during the discussion and took no part in the discussion or the decision thereon.

Cllr Galloway declared a personal and prejudicial interest in the same agenda item, as she receives a pension from Nestle, and left the room during the discussion and took no part in the discussion or the decision thereon.

Cllr King declared an interest under the Planning Code in the same agenda item as he had already expressed a view on this item, and he left the room and took no part in the discussion or the decision thereon.

Cllr Cregan declared a personal interest in the same agenda item as a former employee of Nestle.

Cllr Wiseman declared a personal interest in Plans Item 3a Site to the rear of Ilford Close Strensall Road York (minute 41a refers) as a member of Earswick Parish Council.

#### **40. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak, under the Council's Public Participation Scheme, on general issues within the remit of the this committee.

#### **41. 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.

##### **41.1 Site to the rear of Ilford Close Strensall Road York (07/02194/FULM) Strensall Ward**

Members considered a major full application, submitted by Hogg Builders, for the change of use from agricultural to equestrian use to provide two paddocks and the formation of a turning head.

Officers clarified that the application was for use of agricultural land in the Green Belt. Officers updated that if Members were minded to approve the proposals they would recommend an additional condition to ensure that the paddocks were not used for horse-related activities, e.g. gymkhanas, and a revision to condition 5 to state that the use of the paddocks shall be occupied by a total of no more than six horses or ponies at any one time. They also updated that conditions would be attached to prevent land being used in connection with a residential dwelling.

Members were updated on representations which had been received by e-mail from a resident of Strensall Road. He commented regarding access to the proposed development, the leasing of the paddocks, use of the land for equestrian use, encroachment on the green belt, and the position of the turning head.

Members discussed landscaping, current agricultural use of the land, change of use of the land, the proposed amended and additional conditions, and the requirement for an informative regarding the replacement of the hedging.

**RESOLVED :** That the application be approved subject to the conditions outlined in the report and subject to the following additional condition, amended condition 5 and informative: <sup>1</sup>

Additional condition :

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in schedule 2 Part 4 Class B of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason :

The Local Planning Authority considers that, in the interests of highway safety and the amenities of nearby residents it should exercise control over any temporary uses which, without this condition, may have occurred as permitted development under the Town & Country Planning (General Permitted Development) Order 1995.

Revised Condition 5:

The paddocks hereby approved shall be occupied by a total of no more than six horses or ponies at any one time.

Reason :

In the interests of highway safety and the amenities of adjacent residential occupiers.

Informative :

The applicant is reminded of the requirement to plant a mixed thorn hedge between house plots 5 and 6 and the adjacent land to the east, all outlined in blue on the approved plans. Provision of the hedge is required as part of the planting scheme shown on plan no. C-460-01, approved on 20 December 2006, pursuant to condition 4 of planning permission 06/01020/FUL.

REASON :

The proposal, subject to the conditions listed above and in the report, would not cause undue harm to interests of acknowledged importance, with particular reference to impact on the green belt, neighbour amenity and highway safety. As such the proposal complies with PPG2, PPG7 and policies GP1 and GB1 of the City of York Local Plan Deposit Draft.

#### **41.2 Plot 8b Great North Way Nether Poppleton York (07/02315/REMM) Rural West York Ward**

Members considered a major reserved matters application, submitted by Evans Easyspace Ltd, for erection of 4 two storey blocks comprising office/workshop units (B1, B2 and B8 use).

Members received an update regarding the presence of Great Crested Newts on the application site, stating that when permission was granted for York Business Park in 1999, no Great Crested Newts (GCN's) were found

during survey work carried out. However, in September of this year information had been received that they had been sited in the ponds in April. To this end proposals had been provided by the applicant to deal with the issue, these being erection of newt fencing and a destructive search, relocation of newts, and a further assessment in the spring. A Great Crested Newt Licence would need to be submitted to Natural England.

Officers updated that if Members were minded to approve the application a condition would be added regarding covered cycle areas.

Members discussed the presence of GCN's on the site, the provision of public transport, highways issues, provision of disabled parking spaces, travel plans and landscaping.

**RESOLVED :** That the application be approved subject to the conditions outlined in the report and subject to the following additional conditions: <sup>1</sup>

- Prior to the commencement of development on site, details of the proposed cycle parking provisions shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable travel.

- Prior to the development commencing, a detailed landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaping plan shall include both tree and shrub planting and the following plant species:

Canadian Fleabane, Yellow Wort, Common Century, Haresfoot Clover and Birdsfoot.

This scheme shall be implemented within a period of six months of the completion of the development.

Reason: In order to preserve and enhance the sites existing landscape features.

**REASON:** The proposal, subject to the conditions outlined in the report and above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual amenity and highway issues. As such the proposal complies with Policies GP1, T4, GP4a of the City of York Development Control Draft Local Plan.

#### **42. THE NESTLE/ROWNTREE FACTORY CONSERVATION AREA APPRAISAL : RESULTS OF CONSULTATION AND PROPOSED FINAL DRAFT**

Members considered a report which presented the results of the public consultation exercise for the Nestle/Rowntree Factory Conservation Area

Appraisal. The report recommended that the appraisal, following minor modifications, be adopted.

The report detailed the purpose of a Conservation Area Appraisal, and how the consultation had been carried out. Attached as annexes to the report were a list of consultees, a map showing the area of public consultation, a schedule of responses, a map showing boundary changes suggested by the appraisal, suggested changes to the appraisal, and the consultation draft of the appraisal.

Members discussed the underground lake mentioned in the report, the bowling green which they were informed would be covered under the Leisure and Open Spaces Policy.

Members thanked Officers for their work in producing this appraisal and for the historical record that would be maintained.

RESOLVED : That it be approved that the Nestle Rowntree Factory Conservation Area be created, as proposed in Annex F and as amended by Annex E. <sup>1</sup>

REASON :

- i) The document is a thorough analysis of the character of the conservation area in accordance with current guidance from English Heritage. As a document it is clearly written and accessible to a wide range of users;
- ii) The adoption of the document will help with formulation and determination of development proposals within the conservation area and adjacent to it. It will be of assistance in assessing redevelopment proposals for the Nestle South site;
- iii) The consultation method and range has been in accordance with previous practice. Information and views of consultees have been carefully considered in the amendments proposed.

Action Required

To create the Nestle Rowntree Factory Conservation Area. JB

Cllr R Watson  
Chair

[The meeting started at 4.30 pm and finished at 5.35 pm].

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