

Meeting	Planning Committee A
Date	19 May 2025
Present	Councillors Crawshaw (Chair), Ayre, Clarke, Cullwick, Melly, Steward, Whitcroft, Moroney, Watson, Merrett (Substitute for Cllr J Burton) and Vassie (Substitute for Cllr Fisher)
In Attendance	Gareth Arnold - Development Manager Mark Baldry – Principal Development Projects Officer Sharon Jackson – Planning Officer Sandra Branigan – Senior Lawyer Jodi Ingram - Lawyer
Apologies	Councillors Fisher and J Burton

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### **1. Apologies for Absence (4.34pm)**

Apologies for absence were received and noted for Cllrs J Burton and Fisher.

### **2. Declarations of Interest (4.35pm)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. Concerning agenda item 4b Piglets Adventure Farm, Towthorpe Grange, Towthorpe, Moor Lane, Strensall, York [24/01519/FULM], Cllr Steward noted that the applicant had been in his year at school and they met occasionally for a reunion. He undertook to withdraw from the meeting for that item.

[Cllr Watson arrived at 4.36pm]

Cllr Watson declared that he knew the family for agenda item 4b and undertook to withdraw from the meeting for that item.

Due to the Vice Chair Cllr Fisher giving apologies for the meeting, Cllr Cullwick was elected as Vice Chair for the meeting.

### **3. Public Participation (4.37pm)**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Planning Committee A.

### **4. Plans List (4.37pm)**

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

### **5. OS Field 2800, Eastfield Lane, Dunnington, York [24/01669/FULM] (4.37pm)**

Members considered a major full application from Liam Tate for the erection of 44 dwellings (C3 use class), open space, infrastructure and associated landscaping at OS Field 2800, Eastfield Lane, Dunnington, York.

The Development Manager outlined and gave a presentation on the application. The Principal Development Projects Officer gave an update on the application noting that there had been an additional written representation from Cllr Warters. He detailed a change to the recommendation which included an additional planning obligation regarding vehicle highway connections on the land to the boundary of the land.

Members asked Officers questions to which they explained that:

- They were satisfied that the application complied with policy H10 and they had not asked for additional affordable housing.
- At this point a Member noted that it would be useful to have information on affordable housing and the Chair advised this would come through a Scrutiny Committee.
- There was no response from the NHS requesting a contribution and the consultation would have been sent to a named NHS contact.
- Using the presentation on the screen, Officers showed where the existing footpath was and noted that the Section 106 contribution would fill the last link through to the existing route. It was confirmed that the route would be used by pedestrians and cyclists.

- There was a similar planning obligation on a site in Wheldrake and it had been applied similarly to this application.
- Regarding applying penalties for developers breaching working hours conditions, the Senior Lawyer advised that the Council has no power to issue a penalty charge notice (PCN) for breaches of development control.
- A note about the use of generators could be included in the CEMP.
- Within the design and access statement the applicant had stated that all of the houses were compliant with part M of the Building Regulations.
- In terms of the development, Officers would be surprised if the contribution to education was not paid and it could be advantageous to the council for the S106 contribution to be paid in phases.
- A condition regarding drainage being managed during the construction process could not be attached to a permission.
- It was not known if there were any contaminated land issues. The parcel of land in the 2020 application was under two land ownerships and the landowner/developer agreement for the second half of the site had fallen through.
- Regarding whether it was a material consideration that the scheme would put the 11 affordable homes into jeopardy, Officers advised that the affordable housing policy would be applied when a new application was received for the other part of the site.
- The condition in the previous application relating to contaminated land remediation had been discharged.
- Officers were asked and confirmed that the application met its obligations.
- Condition 19 required a method of work statement from the applicant and there would be no reason for construction traffic to go through the village.
- The broad proposal from the first application regarding the route for construction traffic was explained.
- The Senior Lawyer explained that there were legal tests for conditions and highways officers would deal with construction traffic through the discharge of conditions.
- Regarding the single point of access, it would need to be a considerably larger site to require an additional point of access.

Members debated the application. During debate a Member asked for clarity on the wording of the condition regarding the condition of the road before being occupied. Officers advised that it was a usual approach to require that the road was built to base course prior to occupation. The Chair explained the composition of a base course, which was confirmed by Officers.

Cllr Watson proposed that the application be approved subject to conditions, the completion of a Section 106 Agreement, the additional planning obligation regarding vehicle highway connections on the land to the boundary of the land (as detailed in the committee update), and a change to Condition 19 regarding construction traffic, the wording of which delegated to Officers in consultation with the Chair and Vice Chair. This was seconded by Cllr Melly.

A Member asked if there could be a condition requiring construction traffic to use the A166 and not the A1079. The Senior Lawyer advised that conditions had to meet the tests of being necessary, enforceable, and reasonable. She added that Officers did not feel it necessary to condition the route and Highways had not raised concerns regarding that. The Senior Lawyer did not think that it was reasonable to ban routes for all construction vehicles all the time.

The Chair proposed that the final wording of Condition 19 regarding the promotion of the use of the A166 for construction traffic be delegated to the Chair, Vice Chair and Officers. This was seconded by Cllr Steward. Following a vote with ten voting in favour and one abstention it was:

Resolved: That the application be approved subject to conditions and completion of a Section 106 Agreement, the below additional planning obligation as recommended and amended Conditions 7 and 19:

Additional planning obligation

Vehicle highway connections on the land to the boundary of the land shall be constructed to an adoptable standard prior to the occupation of no more than 39 (thirty nine) dwellings in order to enable a vehicular highway connection from the Land to the remainder of Housing Allocation H31.

Amended Condition 7

Amend Noise section of CEMP Note to refer to generators and 24 hour running

Amended Condition 19

Officers in consultation with the Chair and Vice-Chair investigate the rewording of construction traffic routing to via A166 only.

Reason: The proposed development, subject to conditions, is compliant with the adopted Local Plan and NPPF with regards to impacts

upon the highway network, sustainable travel, residential amenity, archaeology, biodiversity, flood risk and drainage. In addition to this there are considered to be suitable mechanisms to ensure that the infrastructure required to support the development can be secured.

The Chair suggested that concerns raised regarding the number of affordable homes approved against the Local Plan allocations, concerns about enforcement and concerns about whether the council was proactive enough in seeking health contributions could be examined by a Scrutiny Committee.

[The meeting adjourned at 6.08pm and resumed at 6.16pm. Cllrs Steward and Watson left the meeting at 6.08pm]

#### **6. Piglets Adventure Farm, Towthorpe Grange, Towthorpe, Moor Lane, Strensall, York [24/01519/FULM] (6.16pm)**

Members considered a major full application from Dykes for the Installation of hardstanding, landscaping and infrastructure works to parking area at Piglets Adventure Farm Towthorpe Grange Towthorpe Moor Lane Strensall York.

The Development Manager outlined and gave a presentation on the application. He was asked and explained that the application included a service pathway that provided a pedestrian route into the site. He added that there was no pedestrian access to the site.

The Planning Officer gave an update on the application noting the deletion on Condition 7, a change to a drawing number in Condition 10 and the deletion of informative 3, which had been added in error.

#### Public Speaker

Sarah Sykes, applicant with her husband, spoke in support of the application. She explained that the application had been carefully considered with Officers. She detailed the problems with parking noting how the proposed hardstanding would help with safety on the site and how biodiversity would be improved. She hoped that the Committee would support the officer recommendation. She noted amendments needed regarding references to a theme park, explaining that it was a farm adventure park.

In response to Member questions, she explained that:

- There were many trees on the farm and the trees in the application were designed to grow up through the hedges.
- Many staff members cycled to the farm adventure park and she would be happy to put cycle parking in.
- The wildflower planting was outside of the application site and would be along the entrance field.

Members asked Officers questions to which they responded that: Regarding securing cycle parking for visitors there was no reference to cycle provision in policy T1 of the Local Plan. An informative about cycle parking could be added.

Cllr Merrett proposed the officer recommendation to delegate authority to the Head of Planning and Development Services to approve the application subject to the completion of a Section 106 Agreement to secure Bio-diversity monitoring contribution of £2,750, finalise the detail of the S106, deletion of Condition 7, a change to a drawing number in Condition 10, the deletion of informative 3 and an informative regarding the provision of staff and visitor cycle parking is encouraged including for adapted cycles. This was seconded by Cllr Cullwick. Following a unanimous vote it was:

Resolved:

i That delegated authority be given to the Head of Planning and Development Services to APPROVE the application subject to:

a. The completion of a Section 106 Agreement to secure the following planning obligations:

- Bio-diversity monitoring contribution of £2,750

ii The Head of Planning and Development Services be given delegated authority to finalise the terms and details of the Section 106 Agreement.

iii The Head of Planning and Development Services be given delegated authority to determine the final detail of the conditions in the published report.

iv The deletion of Condition 7, a change to a drawing number in Condition 10, the deletion of informative 3 and an informative regarding the provision of staff and visitor cycle parking is encouraged including for adapted cycles.

Reasons:

1. The application site is within the Green Belt.

2. The site area currently has a visitor car park area in association with Piglets Adventure Park. The car parking arrangements are lawful following the grant of a certificate of lawful Use application in 2023 and the site benefits from car parking schemes approved following historic planning permissions in 2002 and 2004.
3. The proposed development is acceptable when applying Local Plan Green Belt policy; the development is not inappropriate development in the Green Belt, preserves openness and does not conflict with the purposes of the Green Belt. There is no other harm identified in terms of neighbour amenity and sustainable drainage.
4. As part of BNG and conditions a Habitat Management and Monitoring Plan is required and confirmation that habitat works have been completed.
5. Other technical matters can be secured by conditions.
6. The proposal is considered to comply with the Local Plan policies GB1 (Development in the Green Belt) D2 (Landscape and Setting) ENV5 (Sustainable Drainage) T1 (Sustainable Access) G14 (Trees and Hedgerows) GI2 (Biodiversity and Access to Nature) DP2 (Sustainable Development) EC4 (Visitor Economy) ENV2 (Managing Environmental Quality) of the Local Plan and Section 13 (protecting Green Belt) of the NPPF.

Regarding the references to a theme park in the published report it was confirmed that this could not be changed but had been noted that Piglets was a farm adventure park.

Cllr J Crawshaw, Chair

[The meeting started at 4.31 pm and finished at 6.41 pm].

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