**Strensall with Towthorpe Parish Council**

**The Village Hall, Northfields, Strensall, YORK, YO32 5XN.**

**Tel: 01904 491569**

**Email:** **strensalltowthorpepc@outlook.com**

Chairman Councillor A Fisher

**Minutes** of the meeting of **The Parish Council Planning Committee** held on Tuesday 12th November 2019 at 6.30pm in the Village Hall, Strensall, York

**Members Present:** Cllrs Baxter, Bolton, Chambers, Chapman, Cllr Dr Cox, Fisher Maher and Mattinson

**In Attendance:** Parish Clerk

**Public Present:** None

1. **Apologies:** CllrMrs Smith

2. **Declarations of Interest:**

19/02044/FULM - Cllr Fisher, is a member of the area planning committee, so would not express an opinion.

3. **The Minutes** of 22ndOctober 2019 have been circulated and were approved as written. **Resolution P121119/01**.

4. **Ongoing Issues:**

 4.1 18/02795/FUL -New Lane – Amended drawings

The Parish Council viewed the amended drawings, which still do not address their concerns, so the Parish Council objection still stands.

Unanimous, proposed: Cllr Bolton, seconded: Cllr Fisher

(For information the original wording is shown at the end of these minutes.)

9 Oak Tree Close - Cllr Fisher advised that if the CYC Planning Officer was minded to approve this applications, as Strensall Ward Cllr, he would call the application into the Committee.

32 Westpit Lane – Cllr Fisher reported that a shed had been built on site, so CYC Planning Enforcement had been informed.

5. **Planning applications**:

1. **19/02044/FULM** – Erection of 62 bedroom care home with associated car parking and landscaping following the demolition of existing care home (resubmission of 18/02935/FULM) @ Moorlands Nursing Home –

**The Parish Council Object to this application for the reasons following:**

* Scale and massing – effect on amenity of neighbouring properties
* Use of terraces/balconies – effect on amenity of neighbouring properties
* Carparking – which is inadequate for number of staff/visitors

The Parish Council viewed the resubmitted application, which does not address their original concerns:

*The Parish Council Objects
- It is considered that the proposal, by virtue of the size and extent of the building footprint and its excessive scale and massing, would adversely affect the amenity and outlook of the occupiers of adjacent residential properties\* and would be unduly harmful to the character and appearance of the area. Thus it would conflict with Central Government advice on design contained within Planning Policy Statement 1 ("Delivering Sustainable Development") and policies GP1, GP10 and C1 of the City of York Draft Local Plan
- The lack of a Daylight & Sunlight Assessment demonstrates that the developer has not assessed the impact of natural light and potential environmental effects this application would cause. It is noted in the City of York Council: House Extensions and Alterations Draft Supplementary Planning Document (December 2012) that overshadowing and loss of light is covered in sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7
- The premises shall be used only as a residential care home for older people within Use Class C2 and shall not be used for any other purpose, including any other purpose in Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order. For the avoidance of doubt, older people are defined as over 55 years of age. This is in order to allow consideration of the impact of any changes on amenity, and because the consideration of the planning application has taken account of the need for older persons accommodation.
- Application 09/01776/OUT which was refused and dismissed at appeal (APP/C2741/A/10/2126146) that has clears parallels to this application.
\* Moor Lane - 1 3 5 7 8 9 11 13 14 15 16 17
Harvest Close - 1 2 3
Highlands Avenue - 18 20 22 24
Station Square - 9 10 11 12 13 14 15 16 17 19 21 23* Proposed: Cllr Brown, Seconded: Cllr Mrs Cox 6 votes in favour of proposal, 2 abstentions (Cllrs Chambers and Fisher)

1. **19/02313/TCA** – Fell Conifer; reduce Cherry tree by 20% in a Conservation Area @ 1 St Marys Close

**The Parish Council has No Objections and will be guided by the Tree Officer**, but would like to request a donation from the applicant towards a replacement tree to be planted within the parish.

Proposed: Cllr Chapman, Seconded: Cllr Brown, Unanimous

6. **Planning Decisions:**

1. **18/01499/FUL** – Single storey side and rear extension and iron railings to wall to front @ 123 The Village – **Approved**

7 **NEXT MEETING** will be on Tuesday 26th November 2019 at 6.30pm

There being no other business the meeting was closed at 7.15pm

Signed ……………………………………. Chairman Dated 26th November 2019

The Parish Council Strongly Objects

- This application makes no attempt to address previous concerns which were:

17/02312/FUL Proposed erection of a detached new dwelling on New Lane Strensall York
The Parish Council objects to this application in the strongest possible terms.
(i) The site is within the Green Belt for York and there are no very special circumstances. The extent of the Green Belt has been demonstrated by numerous planning decisions in the area, both by City of York Council planners and by Planning Inspectors.

Relevant decisions are:
13/03267/FULM This application for 102 dwellings at Brecks Lane was refused by a Planning Inspector in 2015 after being approved by City of York Council but called in by the Secretary of State at the request of the Parish Council and residents. The decision confirmed the extent of the Green Belt around Strensall as being tightly drawn around the currently developed area. The application site clearly lies outside the developed area.
15/02353/OUTM This application for 11 dwellings south of the Village was refused by City of York Council and an appeal was dismissed by a Planning Inspector in Oct 2016. The Inspector considered that the appeal site was in the Green Belt. This site was far closer to the developed area of the village than the site which is the subject of the application.
APP/C2741/A/01/1062350 relating to application 00/02102/FUL This application was for a detached dwelling on the site of the motor vehicle workshop less than 50m away on the other side of New Lane. The Planning Inspector concluded that site was in the Green Belt and that "the very special circumstances put forward are insufficient to outweigh the harm caused by the inappropriate development and the detrimental effect on the openness of the Green Belt".
ii) The site lies outside the current development area of the village.
The applicant states that "the development lies within the development area of Strensall as shown on the city of York Local Plan 2005". This is strongly disputed and, in any case, the 2005 Local Plan was never adopted or even subjected to scrutiny by a Planning Inspector, so should carry negligible weight, especially since subsequent draft Local Plans have shown this site as being outside the developed area in the Green Belt. The applicant attempts to quote policy H4A of the emerging City of York Local Plan to justify development, but this falls at the first sentence, as this site is not within the urban area. It was not part of the Tannery site and was covered in scrub and mature trees until recently cleared by the landowner. The attached screenshot from Google Maps demonstrates what the site looked like until 2016. There has never been prior development on this site so it cannot be considered as a brown field site, as the Tannery was. Furthermore, the site does not share the same access road as the Tannery development, demonstrating that it is clearly not part of the same site. The access road is also substandard.
The applicant also states that "Council Officers cannot demonstrate a 5 year housing land supply, quoting the Planning Inspector at both the Brecks Lane appeal and the more recent one at Avon Drive, Huntington. Nevertheless, the Inspectors at both appeals concluded that failure to demonstrate a 5 year housing land supply does not constitute "very special circumstances" which would override the harm to the Green Belt and both applications were refused.
iii) Development would be harmful to the environment, especially to the adjacent Foss corridor. The importance of the Foss Corridor as a wildlife habitat was recognised by City of York Planning Officers during their consideration of planning applications 17/01812/FUL, 17/01848/FUL and 17/01938/FUL. Officer comments used to justify refusal included: "Ecology 3.1 Objections are raised to the application. The River Foss is an SLI (Site of Local Interest) for biodiversity and a Regional Green Corridor. The banks as well as the river itself are important for ecology and otters and water voles are known to be present on this stretch of the river. Both species are protected and need use of quiet river banks as well as the rivers themselves. The impact of the loss this area of undisturbed scrubland would be harmful to these species and the ecology of the river particularly following the recent development on the north side of the river. Continued urbanisation of the land from garden paraphernalia and dumping of garden waste will further erode the habitat.
Landscape 3.2 The parcel of land, which includes the application sites, to the south west of Strensall Bridge forms a continuation of the riverside corridor that separates the domestic environment from the natural open environment of the river Foss. This open space opens out to the West to form the flood meadows around the Manor House. Although this openness is pinched at Strensall Bridge, the parcel of land subject to these applications is an essential component of the unbroken continuous natural open space alongside the River Foss. The site is highly visible from public rights of way and the public highway and the development impinges on important views when entering the village from the North. If approved the applications could set a precendent for similar development right around the western side of Strensall which would seriously erode the setting and character of the village.
iv) Other comments contained within the justification for refusal are equally relevant to this application and form compelling reasons for refusal. The Ecological Impact Assessment supporting the application contains significant errors. The assertion that there are "records of water vole in the stretch of the River Foss adjacent to the development: these records date from 1999" is quite wrong. Many local residents can testify that there have been many more recent sightings of water voles both in the Foss and Primrose Dike, the small watercourse to the immediate west of the site. The Chairman of the Parish Council observed at least 3 adult voles occupying territories along the section of the Foss between Sheriff Hutton Rd and Haxby Moor Rd in 2016. Otters have been seen regularly on this section and a photo of one taken from 35 Fossview Close (less than 50m away) in Dec 2016 is attached. A dead juvenile was found on the weir in Sept 2017. Kingfishers also use the river and a photo of one taken at the same time and from the same location as the otter photograph is attached.
The site is also adjacent to Strensall Conservation Area, which was extended in 2011 to include the towpath on the northern bank of the Foss. This development would be detrimental to this.
Whilst most of the wildlife benefit of the site was removed by its clearance, it is contended that development on it would adversely affect the ecology of the River Foss and the immediate area in a serious manner
v) The site lies within the flood plain of the River Foss.
The site lies within flood zones 2 and 3
The applicant intends to alter the topography of the site in order to mitigate the potential flooding impact to the proposed property, resulting in a loss of existing natural flood plain.
The proposed flood plain compensation measures will alter the natural flow of flood water on this site, damaging the natural ecology of this area and potentially causing erosion of the soil and river bank area and destroying wildlife habitat.
vi) Drainage
The applicant states that the new foul water will be taken into a new packaged treatment plant located under the rear garden and thereafter purified discharge will be taken to a new soakaway.
It is highly likely that the underlying clays will not be suitable for a soakaway. It is therefore probable that the discharge will be directed towards the nearby Primrose Dike, an open ditch and then the River Foss.
Any soakaway in this area is at risk of being silted up by fine particles, rendering final aerobic purification impossible, exacerbated by the risk of 'sodium binding'of clays.
There is always a high risk of pollution into the river, with any sewage treatment plant and/ or soakaway in such close proximity to a river, especially in the flood plain. It is difficult to imagine the proposed scheme and location satisfying the Environment Agency 'General Binding Rules'
It is assumed that the Foss Internal Drainage Board, Environment Agency, Yorkshire Water and NEDL, who have assets crossing the site, will be fully consulted for their views.