**STRENSALL WITH TOWTHORPE PARISH COUNCIL**

The Village Hall, Northfields, Strensall, York YO325XW

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**MINUTES OF A PLANNING COMMITTEE MEETING HELD ON TUESDAY 08th FEBRUARY 2022 AT 6.30PM**

**Councillors Present:** Andrew Bolton Chris Chambers John Chapman Tony Fisher Ray Maher Lawrence Mattinson

**In Attendance:** Fiona Hill - Parish Clerk

**Public Present:** 0

1. **a) To receive apologies for absence given in advance of the meeting:** None

**b) To consider the approval of reasons given for absence:** N/A

1. **To receive any declarations of interest under the Parish Council Code of Conduct or**

**Members register of interests:** None

1. **To approve the minutes of the monthly Parish Council meeting of 25th January 2022:** Resolved – Approved (Unanimous)
2. **To discuss any ongoing issues and information received:**

Tree works in a Conservation Area - nuisance exemption - 67 Northfields / 101 The Village, Strensall

Dan Calvert, Environment Technician, CYC had emailed (26Jan22) as follows:

*“For your information we have sent an email to 101 The Village, Strensall, York,YO32 5XB allowing reduction works to a sycamore tree which is encroaching onto their property.*

*The tree can be seen on* [*Google street view*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgoo.gl%2Fmaps%2FA7Y9fZCh6MAHCkQd9&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=lLvI7DSvQLUqDR9W%2FEQ1wLYPEjfOQdKN8yVaOR6ByAw%3D&reserved=0)*. Looking from the east towards 101 The Village along the gable end of 67 Northfields,* [*https://goo.gl/maps/VXHRbALHuikLd8tV8*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgoo.gl%2Fmaps%2FVXHRbALHuikLd8tV8&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=L1%2FDEzh4qBZ3JFy8fcfNe4pYWpIwYiYPQREN9sCyA6M%3D&reserved=0) *, the tree appears to be just within in the Conservation Area as I’ve marked on the attached plan by a small, black circle. The tree does not appear to clearly sit within the garden of 67 Northfields, the land to the south, or 101 The Village, Strensall, however possibly at the junction of all three.*

*Although the tree may be (just) in the conservation area, the works to give clearance to the property can be considered exempt (an actionable nuisance) from the usual application process and may be carried out by the tree owner or an immediate neighbour carrying out such works as are permitted under common law. Reduction works will alleviate the nuisance to the property, the branches evidently* [*encroaching on to the roof*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgoo.gl%2Fmaps%2FNa7gDvngfr6QGjn98&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=8Ah2W%2Bi9BfAXnKKVAqqwPHdYsON1LiZyVyC57n%2B5LcQ%3D&reserved=0)*.*

*Although the trees in the area are protected by being in a*[*Conservation Area*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.york.gov.uk%2Fdownloads%2Ffile%2F792%2Fguide-to-living-in-a-conservation-area&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=CP3RvzHZ%2FpBmpdNZQOn6ySiKdLMbOd0KXt%2FIh2osjGI%3D&reserved=0)*we do not always register works to protected trees on the planning portal, there are a number of exceptions. An* [*exception*](https://emea01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F2012%2F605%2Fregulation%2F14%2Fmade&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=gzQejNFgxNi0r9FUVnrBlvqx6Q6y1DwZAzjgfMmeUSo%3D&reserved=0)*may exempt landowners or their agents from the normal requirement to seek the local planning authority’s consent before carrying out work on protected trees. These exceptions include certain work:*

* *on*[*dead trees and branches*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Ftree-preservation-orders-and-trees-in-conservation-areas%23dead-trees-and-branches&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=SNINbHVUAMXyvlUZ214TzOnh20H2bA3o0tWkMQFtJNU%3D&reserved=0)*;*
* *on*[*dangerous trees and branches*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Ftree-preservation-orders-and-trees-in-conservation-areas%23dangerous-trees-and-branches&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=VAmzHo2sTKOTh48KSFpEbEwQobEFcVTObGm7y2KhK1w%3D&reserved=0)*;*
* *to*[*prevent or abate a nuisance*](https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Ftree-preservation-orders-and-trees-in-conservation-areas%23prevent-or-abate-a-nuisance&data=04%7C01%7C%7Ca3d2c6176c624d9f941a08d9e0a863b5%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637787836230719589%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=Vfed13U%2BDJ8W%2F2Jn%2BYDk0LiXkE0eNAJc1FnWE6aZFdU%3D&reserved=0)*;*

*tree work to lift the trees above the highway by 5.2m and by 2.5m over the footpath to give a statutory highway clearance meets the criteria for exemption (Highway’s requirement) from requiring this Authority planning consent*

*I’ve copied-in my colleague Brian Williams, Tree Conservation Officer, who makes the decisions regarding works to protected trees”.*

1. **To consider and respond to consultations from City of York Council to the following**

**planning applications:**

a) 21/02759/FUL - Erection of 1no. two storey dwelling and 3no. single storey dwellings (holiday lets) following demolition of house @ Hoxne Farm House Sheriff Hutton Road

Resolved – No Objection, subject to conditioning as follows: (Unanimous)

1 The buildings to which this permission relates shall be used for holiday accommodation only and for no other purpose.

Reason: In order to avoid a permanent residential use in this rural location, which would be contrary to the aims and objectives of Policy H4a of the City of York Local Plan and guidance contained within the National Planning Policy Framework.

2 The buildings to which this permission relates shall not be occupied as a person's sole or main place of residence.

Reason: In order to avoid a permanent residential use in this rural location, which Application Reference Number: 14/01447/FUL Item No: Page 6 of 7 would be contrary to the aims and objectives of Policy H4a of the City of York Local Plan and guidance contained within the National Planning Policy Framework.

3 The owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday cottages on the site, and of their main home addresses, and shall make this information available at all reasonable time to the local planning authority.

Reason: To ensure that the holiday accommodation is not used for unauthorised permanent residential occupation .

4 Prior to the commencement of the development hereby authorised full details of the proposed package treatment plant for foul drainage including design, capacity, location and outfall arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason:- To safeguard the water environment from pollution and to secure compliance with Policy GP15a) of the York Development Control Local Plan.

b) 22/00052/FUL - Variation of condition 4 of permitted application 04/02460/FUL to alter opening hours from 0700 - 2100 hrs to 0600 - 2300 hrs @ Strensall Camp Service Station, 605 Strensall Road

Resolved – Objection, due to concerns about damage to amenity of local residents (5votes in favour. 1 abstention)

c) 22/00058/FUL - Alteration, conversion and refurbishment of Manor Farmhouse @ Manor Farm, 1 The Village

Resolved – No Objection, will be guided by the City of York Council Conservation Officer (Unanimous)

d) 22/00059/LBC – Internal and external alterations to include conversion of former garage into day room, new door and window openings, remove doors and install timber bi-fold doors in former barn and convert into garage, replace septic tank with package treatment plant, alter and install new timber windows and door to replace existing uPVC units, re-roof outbuilding, various repairs, form new staircase to roof void for storage and convert front bedroom into bathroom @ Manor Farm, 1 The Village

Resolved – No Objection, will be guided by the City of York Council Conservation Officer (Unanimous)

e) 22/00116/FUL - Single storey rear and side extension, change window colour throughout, erect brick wall to side boundaries in front garden @ 6 The Village

Resolved – Objection, strongly, as the rear extension is not in keeping with the Conservation Area. In addition, the roof has recently been replaced, without planning permission, from classic slate to black concrete. (Unanimous)

1. **To note planning decisions received:**

a) 21/02434/FUL - Erection of new troop shelter and demolition of existing Nissan Hut on 'A' Range @ Landmarc Support Services Ltd Building 70 Scott Moncrieff Road - Approved

b) 21/02681/LHE - Erection of single storey extension extending 5.9 metres beyond the rear wall of the original house, with a height to the eaves of 2.6 metres and a total height of 3.95 metres @ 3 Pasture Close – LHE Refused

c) 21/02717/TPO - Fell 1no. Turkey Oak tree protected by Tree Preservation Order no. 131/1989 @ 11 Oak Tree Way - Consented

 **21/106 To confirm date of next meeting as Tuesday 22nd February 2022 @ 6.30 p.m.** Resolved – Approved (Unanimous)