

EAST RIDING OF YORKSHIRE COUNCIL

PLANNING COMMITTEE

24 NOVEMBER 2011

PRESENT: Councillors Pollard (in the Chair), Boatman, C Chadwick, Chapman MBE, Davison, Galbraith, Harold, Pearson, Sharpe, West and Whittle.

Also in attendance: Press - 4
Public - 83

The Committee met at County Hall, Beverley.

6215 DECLARATIONS OF INTEREST AND DECLARATIONS UNDER THE CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS - The following Members made declarations:-

Item	Member
(i) 11/02974/STPLF Land west of Queen Anne Plantation, Londesborough Road, Burnby (Minute 6222 refers)	Councillors Chapman, Davison, Pearson, Sharpe and Whittle made a declaration under Section 4 of the Planning Code of Practice as they had received correspondence in relation to the application but had not made their views known. Councillor West made a declaration under Section 4 of the Planning Code of Practice as she had been involved with the objectors in relation to this application and therefore left the meeting for the discussion and voting on this application.
(ii) 11/01633/STPLF Country Park Inn, Cliff Road, Hessle (Minute 6224 refers)	Councillor Davison made a declaration under Section 4 of the Planning Code of Practice as he had been in correspondence with the Planning Officer but would look at the information before him before making a decision.
(iii) 11/04441/STPLF Land south west of Crawberry Hill, Walkington Heads, Walkington (Minute 6223 refers)	Councillors Chapman, Pearson and Sharpe made a declaration under Section 4 of the Planning Code of Practice as they had received correspondence in relation to the application but had not made their views known.

6216 MINUTES - Resolved - That the minutes of the meeting of the Committee held on 3 November 2011 be confirmed and signed as a correct record.

6217 PLANNING SUB-COMMITTEES - The minutes of the under mentioned Sub-Committees were received:-

- (i) Eastern Area Planning of 7 November 2011.
- (ii) Western Area Planning of 8 November 2011.

6218 REFERRAL FROM EASTERN AREA PLANNING SUB-COMMITTEE - 85 HIGH STREET, BEMPTON - The Director of Planning and Economic Regeneration submitted a report on the following application which had been referred to this Committee for determination by the Eastern Area Planning Sub-Committee with a recommendation to approve as the Sub-Committee were satisfied that the site was in a sustainable location with rail and bus routes and due to its close proximity to Bridlington. The site was also within the development limits for the village.

Application No and Applicant	Details
11/02608/OUT Mr M Brough	Outline erection of two dwellings (Renewal of Planning Permission 06/01755/OUT) at 85 High Street, Bempton.

The applicant addressed the meeting in accordance with the approved protocols.

Resolved - That the application be approved subject to the appropriate conditions on the grounds that Bempton is a sustainable location due to its proximity to the railway and road network and the application site is within the development limit of the village.

6219 REFERRAL FROM EASTERN AREA PLANNING SUB-COMMITTEE - GLEBE HOUSE, ALDBROUGH ROAD, EAST NEWTON - The Director of Planning and Economic Regeneration submitted a report on the following application which had been referred to this Committee for determination by the Eastern Area Planning Sub-Committee with a recommendation to approve as the Sub-Committee considered that the provision of a car park provided recreational benefits within the area.

Application No and Applicant	Details
11/03065/PLF Newton Farming Limited	Continued use of land as a car park for beach users and retention of hard surface area at Glebe House, Aldbrough Road, East Newton.

The applicant addressed the meeting in accordance with the agreed protocols.

Resolved - That the application be approved subject to the appropriate conditions to include landscaping around the area and a condition prohibiting campervans and caravans parking overnight, on the grounds that the provision of the car park was a good scheme that provided recreational benefits within the area.

6220 DEVELOPMENT LAND, LONG LANE, WOODMANSEY - The Director of Planning and Economic Regeneration submitted a report on an application by East Riding of Yorkshire Council for the provision of a new highway extending from Victoria Road roundabout on the A164 for 2.84 kilometres to a new roundabout junction with the A1174 south of the B1230 junction, one highway over bridge and one rail over bridge, drainage storage ponds and associated works (Revised Scheme of 09/04286/STPLFE) (Environmental Statement Addendum - Landscape and Visual Impact) at development land Long Lane, Woodmansey (Application 11/04232/STPLFE).

At the meeting the Director updated the Committee on the following representations and consultation responses received following the publication of the report:-

- Yorkshire Wildlife Trust had no objection but would like to see the conditions as recommended imposed.
- The Beverley and North Holderness Internal Drainage Board had withdrawn its objection to the scheme and asked to be consulted when full details were known.
- A response had been received from the Council's Nature Conservation Officer with no objection subject to conditions to secure mitigation strategies for barn owls, bats and water vole as per the Environmental Statement and measures to ensure protection and avoidance for protected species also as per the Environmental Statement.
- An objection had been received from Sustrans concerning proposed ramps and diversion of Public Right of Way No 2 being too circuitous and the nature of the route should ensure direct links and cater for bridleway users. Any new route should include a surfaced strip to provide a weather proof route for cyclists and wheelchair users.
- Three additional letters of comment had been received arising the following issues queries -
 - the proposal showed kerbside cycle/pedestrian path along the proposed road, there is concern at the lack of connectivity with other cycle facilities routes in the area specifically at the Victoria Road roundabout where there is no connection between the proposed new cycleway and the north side of the proposed BSRR and the existing cycleway on the west side of the A164 is indicated;
 - at the Long Lane junction there appears to be no pedestrian or cycle access from Long Lane to the cycle way on the north side of the proposed BSRR and on the A1174 the cycle facility does not provide a suitable connection into the existing road network. It is also indicated that cyclists heading north from Woodmansey over Beverley Beck and north had a difficult route to follow.
- Streetscene had responded to the objections in relation to the cycle routes indicating that the best endeavours would be made to link up the route, that the balance had to be made between the cost of doing this work and key issues.

Resolved - (a) That consideration of the application be deferred pending the receipt of outstanding consultation responses, and

(b) that subject to there being no new issues raised which have not been covered in the report the Director of Planning and Economic Regeneration be authorised to approve the application subject to the conditions as detailed in his report.

6221 BRITCOM INTERNATIONAL LIMITED, YORK ROAD, MARKET WEIGHTON - The Director of Planning and Economic Regeneration submitted a report on an application by Britcom International Limited for a hybrid application consisting of (a) full planning application for change of use of land in connection with the existing Britcom International Limited operations for the reconditioning, storage and sale of vehicles, plant and machinery within the used classes B2 and B8, and (b) outline application for the erection of a building in connection with the existing Britcom International Limited operations for the reconditioning, storage and sale of vehicles, plant and machinery within the used classes B2 and B8 at Britcom International Limited, York Road, Market Weighton (Application 11/03819/STPLF).

At the meeting the Director updated the Committee on the following representations and consultation responses received following the publication of the report.

- The applicant had submitted an amended landscaping plan and the Landscaping Officer was happy with this.
- The applicant is aware that there was a neighbour complaint about noise, lighting and fumes associated with the existing operation, this related to the existing site.
- Public Protection has confirmed that a local neighbour has raised a new complaint in relation to noise, lighting and odour. This was currently being investigated.
- Market Weighton Civic Society maintained its objection on the basis of the closure of Red House Lane. The rights of local residents to have a direct vehicular and pedestrian access will be lost.
- Mr Kendall of Hickling Gray on behalf of a local resident maintained a previous objection and referred to the lack of a Traffic Impact Assessment; the proposed footpath was longer and not straightened like Red House Lane and would be intimidating for users. There was potential conflict between pedestrians, wheelchairs and cyclists given the narrowness of the path, it was not clear who would own or maintain the path, the planning system still operates on the primacy of the development plan and therefore there would be a clear conflict with the development plan in this case and permission should be refused. Approving development on unallocated sites would set a damaging precedent.
- A local neighbour had submitted the view that the existing allocation should be considered first and referred to concerns in relation to the heavy industrial development; a full highway assessment should have been carried out; there was concern about local flooding problems and there would be a loss of residential amenity for those residents living opposite the site.
- Northmanor Properties indicated that the allocated land in its ownership was always available for development prior to Britcom's purchase of the application. It was still available and would still be available for development should the application be not successful.
- Yorkshire Water had indicated that there was a water meter on Red House Lane which served Greenacres but was owned by Yorkshire Water, this meter would need to be relocated. This was a private matter between Britcom and the local residents regarding obtaining access to Britcom site to fix any problems.

An agent on behalf of the objectors and the applicant addressed the meeting in accordance with the agreed protocols.

Councillor Rudd addressed the meeting in accordance with the agreed protocols.

Resolved - That the application be approved subject to the conditions as set out in the Director's report.

6222 LAND WEST OF QUEEN ANNE PLANTATION, LONDESBROUGH ROAD, BURNBY - The Director of Planning and Economic Regeneration submitted a report on an application by a Mr D Nicholson for the erection of a single wind turbine with a mast height of 37 metres, a blow diameter of 33.4 metres, tip height of 53.5 metres and associated crane pad, transformer station and construction of vehicular access at land west of Queen Anne Plantation, Londesborough Road, Burnby (Application 11/02974/STPLF).

At the meeting the Director updated the Committee on the following representations and consultation responses received following the publication of the report.

- The Committee was informed that the scheme was exactly the same as that originally considered in September 2011.
- The views of Public Protection had now been received indicating it had no objection therefore the officer recommendation was now to approve the application. Public Protection had revisited the site to check noise levels and had confirmed it had no objection.
- Mr Gallen referred to in Paragraph 7.5 of the Director's report and submitted a representation refuting that he was a spokesperson for the objectors and that he had been involved in any discussions with the applicant. He reiterated that his concerns solely rested with his own situation and the effect that the development could have on his disabled son. Mr Gallen wished the letter to be read out and wanted an apology as his reputation had been damaged.
- The applicant's agent referred to Paragraph 7.5 and indicated that the content of this had been the agent's understanding at the time and accepted that this was not accurate. The agent accepted that there had been no meetings between Mr Gallen and the applicants and regretted any distress that this misconception may have caused. There had been four meetings between the applicants and representatives of the Local Action Group. The agent indicated that a visit had been arranged to a turbine that had been installed in Nottinghamshire. Two residents had attended and two were to go independently.
- Further representations had been received from the residents including three letters of objection. The Burnby Action Group maintain that the information provided by the applicant in relation to the consultation process was flawed and inaccurate; the noise assessment was wrong; the concerns of residents did not just relate to noise; the action group did not consider the site visit arrangements to Nottingham were acceptable and those residents that attended did not represent the Burnby Action Group; the report was biased and in favour of the applicants, no mention was made to the impact on horses and the local equestrian centre.
- No to Wolds Windfarms had submitted an objection and indicated that the site was unsustainable.

An objector and the applicant's agent addressed the meeting in accordance with the agreed protocols.

Councillor Rudd addressed the meeting in accordance with the agreed protocols.

Resolved - That the application be refused on the grounds of the detrimental effect the development would have on the landscape.

6223 LAND SOUTH WEST CRAWBERRY HILL, WALKINGTON HEADS, WALKINGTON - The Director of Planning and Economic Regeneration submitted a report on an application by Rathlin Energy UK Limited for the construction of a temporary drilling site with associated access to drill an appraisal borehole for the purposes of mineral exploration (petroleum) at land south west of Crawberry Hill, Walkington Heads, Walkington (Application 11/04441/STPLF).

At the meeting the Director updated the Committee on the following representations and consultation responses received following publication of the report:-

- Further representations had been received from Walkington Parish Council requesting further consideration to be given to highways issues and also referring to fracking. The Parish Council requested that the application be deferred to give the village time to obtain all the facts in relation to the processes involved. The officer did highlight the fact that the application involved conventional drilling and not fracking and should the applicant wish to extract petroleum, further consent would be needed which would involve further consultation.
- 36 additional objections had been received relating to the extraction methods and the requirement to use toxic chemicals and the possibility of noise 24 hours a day. The objectors felt it was too close to Walkington and Bishop Burton and the application contradicted climate change policies. Reference was made to the fracking in Blackpool which had caused earthquakes and also referred to environmental problems of petroleum extraction.
- The agent had confirmed that no fracking would be used and any association between the applicant and fracking was misrepresentation. The application included a number of mitigation measures including casing around the drill to a depth of a 1,000 metres to prevent leakage and this was also checked via pressure gauges. The agent also wished to make it clear that he was happy to maintain the Yorkshire Water condition as well as the Environment Agency condition. Reference was also made to the transport which would be via the A1079 along Killingsgrove Lane to Walkington Heads. Based on the construction of similar sites a noise survey had been submitted and evidenced low level noise and there was a significant separation distance between the site and any residential properties.
- Yorkshire Water had made further representations in relation to Condition 10 in the report in relation to ground water protection and referring to the fact that the Environment Agency had also applied a condition. However as indicated the applicant was happy that both conditions remained.
- Highways had no objection subject to the inclusion of a Traffic Management Plan to include a dilapidation survey to ensure that any damage was rectified.

An objector and the applicant addressed the meeting in accordance with the agreed protocols.

Resolved - That consideration of the application be deferred pending further detailed consideration of the technical and scientific aspects of the application to enable a thorough understanding of all the issues involved.

6224 THE COUNTRY PARK INN, CLIFF ROAD, HESSLE - The Director of Planning and Economic Regeneration submitted a report on an application for the erection of an extension comprising 44 bedrooms of accommodation with en suites, conversion of lodge from bedroom accommodation to ancillary offices and all associated works at the Country Park Inn, Cliff Road, Hessle (Application 11/01623/STPLF).

At the meeting the Director updated the Committee on the following representations and consultation responses received following the publication of the report.

- Following consideration of the submitted In-Combination Ecological Impacts report, Natural England had requested that the Council undertake an appropriate assessment of the development. This is currently being prepared.
- Councillor Davison had expressed concern regarding the potential for conflict between cars, pedestrians and cyclists on Cliff Road due to the width of the road and the angle of it.

The applicant's agent addressed the meeting in accordance with the agreed protocols.

The Committee considered the issues around the road and the potential for a footway and agreed to refer this to the appropriate Streetscene officers.

Resolved - (a) That consideration of the application be deferred pending the receipt of outstanding advice from Natural England, and

(b) that subject to there being no new objections raised the Director of Planning and Economic Regeneration be authorised to approve the application subject to the conditions as detailed in his report.

6225 63 NEWBEGIN, HORNSEA - The Director of Planning and Economic Regeneration submitted a report on an application by Innovating Space Limited for the Variation of Condition 12 (Deliveries) of Planning Reference 11/03513/STPLF to be extended to 0007 and 2300 Monday to Saturday and 0900 and 1700 on Sundays and Bank Holidays at 63 Newbegin, Hornsea (Application 11/04869/STVAR).

At the meeting the Director updated the Committee on the following representations and consultation responses received following the publication of the report:-

- The Humber Archaeological Partnership indicated that the condition should stay as it was.
- A neighbour objection had been received in relation to the noise and the impact on neighbourhood amenity.
- The agent indicated that it was critical that the service delivery hours were changed to enable inward investment to be attracted as concerns had been raised by potential occupiers resulting in a threat to the delivery of the scheme and the blighting of its future.

Councillor Jefferson addressed the meeting in accordance with the agreed protocols.

Moved by Councillor Chadwick and seconded by Councillor Pollard -

That the application be approved subject to the conditions as detailed in the Director's report.

Motion Lost.

Resolved - That the application be refused on the grounds of loss of amenity to local residents due to increased noise and disturbance.

6226 DEVELOPMENT LAND SOUTH OF HYTEC WAY, BROUGH - The Director of Planning and Economic Regeneration submitted a report on an application by Messrs G Capes, D Constantine and A Markham for outline erection of residential apartments and houses, the erection of one building and alterations to existing building for use within Class B1 (Renewal of 07/07138/STOUT) at development land south of Hytec Way, Brough (Application 11/04427/STOUT).

The applicant's agent addressed the meeting in accordance with the agreed protocols.

Resolved - (a) That consideration of the application be deferred pending the submission of an acceptable Flood Risk Assessment, and

(b) that subject to a positive response from the Environment Agency and Yorkshire Water, the Director of Planning and Economic Regeneration be authorised to approve the application subject to the conditions as detailed in his report.

6227 LAND NORTH OF UPTON HOUSE, BEEFORD ROAD, SKIPSEA - The Director of Planning and Economic Regeneration submitted a report on an application by Airvolution Energy Limited for the erection of a temporary 60 metre anemometer mast at land north of Upton House, Beeford (Application 11/04385/STPLF).

At the meeting the Director informed the Committee that one further letter of objection had been received referring to the loss of amenity and detriment to landscape. The agent had clarified that the permission was for a temporary period of 18 months and the structure was slender and not particularly visible and could be transported via a 4x4 vehicle.

Resolved - That the application be approved subject to the conditions as detailed in the Director's report.

6228 FUTURE PLANNING APPLICATIONS - The Director of Planning and Economic Regeneration submitted a report giving advance notice of planning applications which were currently under consideration and were likely to be submitted to the next or subsequent meetings of this Committee.

Resolved - That the report be noted.

6229 LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY FURTHER CONSULTATION - The Director of Policy, Partnerships and Improvement submitted a report on the consultation currently taking place on changes to the draft Local Development Framework Core Strategy. The consultation closed on 19 December 2011 and the report set out the content of the Core Strategy Further Consultation document. The document proposed changes to the Core Strategy following consideration of responses to the preferred approach Core Strategy (May 2010) and the completion of further evidence based work. The changes covered the East Riding settlement network scale and distribution of residential development, scale of employment land and development management policies on the provision of affordable housing and open space. Members of the Committee were requested to respond to the consultation by 19 December 2011.

Resolved - (a) That the Committee note that the Core Strategy Further Consultation document has been published for public consultation, and

(b) that the report be resubmitted to the next meeting of the Planning Committee to enable a response to be submitted prior to 19 December 2011.