

PLANNING & DEVELOPMENT COMMITTEE

At a meeting held on Thursday 06/10/2022

Present:-

Councillor S. Sharma (Chair);

Councillors C. Pearson, R. Swiers, T. Norton, P. Riley, G.W.L. Smith, W. Forbes,
G. Goodberry, P. Kershaw, W. Chatt, R. Maw, J.E. Mortimer and J. Nock

CHAIR'S OPENING REMARKS

The Chair invited all those present to stand in silence as a mark of respect following the death of Committee Member, ward member for Scalby and former Mayor, Councillor Hazel Lynskey.

1. DECLARATIONS OF INTERESTS

There were no declarations of interest.

2. MINUTES

RESOLVED that the minutes of the meeting held on Thursday 08/09/2022 be **APPROVED** and signed by the Chair.

3. PUBLIC QUESTION TIME

No public questions were received.

4. PLANNING APPLICATION - (21/02412/FL) LAND TO THE REAR OF THE GRANGE, HIGH STREET, BURNISTON 22/207

The Committee considered:-

- i. a planning application for the erection of fifty dwellings with associated open space, car parking and vehicular access to the rear for Mulgrave Developments Ltd.
- ii. a report of the Head of Planning (reference 22/207).

Correcting the report the Planning Officer clarified that the proposed structures would be made of reconstituted stone or render, as opposed to buffed bricks; as had been stated in the report. The Planning Officer confirmed that delegated authority was being sought to clarify some of the conditions with the applicant and these would include a condition relating to the protection of a neighbouring tree.

Following the presentation the Chair invited Sophie Williams, an agent, to speak on behalf of the application.

The Committee expressed some unhappiness regarding the affordable housing allocation on site.

A query was raised regarding access to a farm neighbouring the site. The Planning Officer confirmed that farm access already existed and that the farm was accessed away from the application site. The Planning Officer went on to confirm that vehicular access to the application site would only be made from High Street. The Planning Officer acknowledge that he would check what arrangements were in place for the pedestrian access point but that they would seek to ensure it was only for pedestrians.

Members did express approval of the range of designs contained within a relatively small estate but a query was raised regarding the monies requested by North Yorkshire Clinical Commissioning Group to assist with servicing the medical needs of the area's increased population. To the latter point the Planning Officer confirmed that the figures outlined in the report were arrived at using standard NHS formulae.

RESOLVED that planning permission be **GRANTED** subject to completion of the S106 agreement with delegated authority to Officers to ensure the conditions are satisfactorily fine-tuned and to ensure that access to the farm track to the west is pedestrian only.

5. PLANNING APPLICATION - (22/01073/FL) LAND ON THE NORTH SIDE OF WOODLANDS DRIVE, SCARBOROUGH 22/204

The Committee considered:-

- i. a planning application for the erection of a building for ambulance maintenance and preparation, paramedic welfare accommodation, officers and training facilities, with associated substation, roads and parking for Yorkshire Ambulance Service NHS Trust.
- ii. a report of the Head of Planning (reference 22/204)

Updating the report the Planning Officer outlined comments received from Environmental Health (they had raised no objections during the consultation phase). Environmental Health were not objecting to the proposal now, but were concerned about the testing of sirens in service bays. The Planning Officer was able to confirm that given the distances between the application site and other properties Officers felt the imposition of a condition requiring the use of sirens only to be undertaken in the service bays with the doors closed and a management plan for other service operations would provide for adequate protection from such noise. Environmental Health also requested that a further condition be imposed regarding the remediation of contamination owing the fact that the site is a former landfill area. The Planning Officer also reported that the condition listing all the approved plans needed some revision as some of the plans were not included in the condition.

Following the Planning Officer's report Members were broadly welcoming of the application, however, a couple of points were raised. Firstly, surprise was registered at the limited consultation response received by Yorkshire Water owing to the view by Members that the surrounding area was susceptible to flooding. Secondly, it was felt by Members that "keep clear" signs in the vicinity of the application site would have little impact on congestion in the area and could not be expected to substantially tackle the wider issue of congestion in that part of Scarborough. The Planning Officer responded that they would be happy to pass Members comments to Yorkshire Water but that flooding was not an issue for this particular development.

RESOLVED that planning permission be **GRANTED** with delegated authority to Officers to finalise the conditions, with the two additional conditions relating to use of the service areas and site contamination.

6. PLANNING APPLICATION - (21/02161/FL) 24 VERNON ROAD, SCARBOROUGH 22/206

The Committee considered:-

- i. a planning application for the construction of a multi-storey apartment building with parking and associated access for Wright Investments.
- ii. a report of the Head of Planning (reference 22/206).

The consideration of this application followed a site visit on Tuesday 04/10/2022.

Updating the report the Planning Officer made a couple of corrections. Firstly, the report stated that £322,500.00 was being sought as an affordable housing contribution. The correct figure was £280,723.00. Secondly, the Planning Officer explained how paragraph 1.7 of the report could read as though the fire statement was in hand and under consideration by the Health & Safety Executive. The Planning Officer confirmed that this was not in hand and was therefore not yet under consideration by the Health & Safety Executive.

Providing further updates to the report the Planning Officer provided comments that had been received from the Lead Local Flood Authority after the publication of the report. The LLFA required further information. The applicant had demonstrated that the site was not suitable for soakaways. Yorkshire Water, the statutory undertaker, were happy for surface and foul water to drain into the adjacent combined sewer at a rate of nine litres per second. The applicant had confirmed that their scheme would meet that figure.

Following the Planning Officer's report the Chair invited John Wyatt, an agent, to speak on behalf of the application.

Members were complimentary about the application and appreciative of the site visit that had been held earlier in the week. Having taken that opportunity to see the application site Members now queried where responsibility would fall in the event that the distinctive parking mechanism was to falter. The Planning Officer confirmed any such occurrence would be the remit of the management company or of the freeholder of the building. While a management plan was being requested regarding the handling of onsite waste the Committee also requested that a management plan be provided for the upkeep of the site's novel parking solution.

While the Committee's response to the application was mostly positive the Membership registered alarm with a potential proposal of the North Yorkshire Police, Fire & Crime Commissioner to reduce the number of fire engines covering the North Yorkshire coast overnight from two engines to one. The Membership suggested that the Health & Safety Executive ought to be made aware of this proposal when making their professional consideration. However, the Chair did not feel this was necessary and that the Health &

Safety Executive could be relied upon to keep themselves informed of any such proposals. However, as part of the resolution the Planning Services Manager requested that Officers be granted the ability to reject the application if standards were not felt to meet the expectations of the Health & Safety Executive.

RESOLVED that planning permission be **GRANTED** subject to:

a) the conditions set out in the report, plus additional conditions as deemed necessary following receipt of the Health & Safety Executive's comments on the applicant's latterly submitted Fire Statement;

b) the completion of a Section 106 Agreement to secure:

- an affordable housing financial contribution
- an contribution towards NHS primary care services local to the site;
- a green space contribution.

OR, if b) is not met and/or the Health & Safety Executive responds to its consultation on the applicant's latterly submitted Fire Statement with objections that cannot be addressed by planning condition, the Committee granted Officers delegated authority to refuse the application on the grounds that:

- 1) no legal agreement is in place and thus the proposal fails to deliver affordable housing and open space provision in accordance with the Local Plan and relevant Supplementary Planning Documents; and/or
- 2) the applicant's Fire Statement is inadequate.

7. PLANNING APPLICATION - (22/01354/FLA) LAND OFF GREEN LANE, WHITBY 22/214

The Committee considered:-

- i. a planning application for the variation of condition 2 (plans) on decision 19/02258/FI, to allow changes to house types and the relocation of a substation and solar panels to the roofs for Wharfedale Homes Limited.
- ii. a report of the Head of Planning (reference 22/214).

Having left the room during the presentation and debate of this item Councillor Nock took no part in the determination of this item.

RESOLVED that delegated authority be **GRANTED** to approve the application subject to:

- a) the conditions as set out in the Officer's report;
- b) no new and substantive issues being raised in the remainder of the consultation period;

c) the completion of deed of variation to bind this new amended planning permission to the Section 106 Agreement allied to the planning permission granted by Inspector under reference: APL/00011/21.

8. DEED OF VARIATION APPLICATION - (22/01175/DOV) LAND OFF GREEN LANE, WHITBY, YO22 4JP 22/205

The Committee considered:-

- i. a request to vary a S106 obligation associated with 19/02258/FL – planning application for the erection of 62 dwellings, granted at appeal for Wharfedale Homes Limited.
- ii. a report of the Head of Planning (reference 22/205).

Having remained away for the Council Chamber for the presentation and debate of this item Councillor Nock took no part in the determination of this agenda item.

RESOLVED that the variation to the terms of the Section 106 agreement be **APPROVED**.

9. PLANNING APPLICATION - (22/00609/FL) VICTORIA SEAVIEW HOTEL, 125-129 NORTH MARINE ROAD, SCARBOROUGH 22/209

The Committee considered:-

- i. a planning application for the change of use of a hotel (C1) and owner's accommodation (C3) to fourteen self-contained apartments (C3) with associated alterations to the front access, canopies and signage and the installation of replacement rear windows in uPVC for JARK101 Limited.
- ii. a report of the Head of Planning (reference 22/209).

RESOLVED that permission be **GRANTED** subject to a signed S106 unilateral undertaking, the conditions set out in the report and an additional condition for proposed waste management arrangements for the development.

Chairman