

## **PLANNING & DEVELOPMENT COMMITTEE**

At a meeting held on Thursday, 6 December 2018

Present:-

Councillor P H Trumper (Chairman) in the Chair

Councillors Mrs D V Cluer, S Cross (as a substitute for C Haddington), T W Fox (as substitute for D Chance), S B Green, D C Jeffels (as a substitute for A Jenkinson), Mrs H Lynskey, R Moody, C Pearson, N Price, J Ritchie (as a substitute for D L Billing), S Siddons, Ms R Swiers and Mrs M Watson

### **1. DECLARATIONS OF INTERESTS**

Councillor Simon Green, declared a Personal interest in agenda item 4, Planning Application - (18/02346/RG4) - Scarborough Leisure Village, 5 Ashburn Road, Scarborough since he had advertised Footgolf at the Stadium.

Councillor David C Jeffels, declared a Personal interest in agenda item 11, Planning Application - (18/01256/HS) - 1 Wrea Head Cottages, Barmoor Lane, Scalby since he was acting as substitute for Councillor Andrew Jenkinson and the application had been submitted by Councillor Andrew Jenkinson's brother, Mr Gordon Jenkinson.

### **2. MINUTES**

**RESOLVED** that the Minutes of the meeting held on 8 November 2018 be approved as a correct record and signed by the Chairman.

### **3. PUBLIC QUESTION TIME**

The Chairman reported that no public questions had been received.

### **4. PLANNING APPLICATION - (18/02346/RG4) - SCARBOROUGH LEISURE VILLAGE, 5 ASHBURN ROAD, SCARBOROUGH**

The Committee considered:-

- (i) a planning application for covered football stand containing seats and standing terracing, partially covered spectator terrace, toilets, kiosk and bays for disabled visitors for Scarborough Athletic FC; and
- (ii) a report of the Planning Services Manager (Reference 18/299)

Updating the report the Planning Officer advised that the Highway Authority had no objections to the application subject to the addition of two conditions. The first was in relation to the Travel and Event Management Plan to provide the opportunity to review the arrangements to encourage use of non-car transport to the stadium. The second condition was to have a construction management plan in place. The Planning Officer advised that in respect of the construction management plan an informative would be added to the decision notice.

Responses had been received from the Borough Council's Drainage Engineer and Yorkshire Water, both of whom had no objections to the scheme. Four letters had been received from residents, one in favour and three against the scheme. The Planning Officer read out the points raised, most of which had already been covered in the report. In relation to parking, this was the

responsibility of North Yorkshire County Council, any monitoring or consultation on a Traffic Regulation Order would be undertaken by them. There had been no objections from Environment Health Services regarding noise pollution. The Planning Officer suggested an informative be attached to the decision notice in respect of reviewing match day arrangements to manage anti-social behaviour.

In accordance with the Council's public speaking scheme, Councillor M Vesey spoke on the issues raised by the residents.

A member asked if any comments had been received from the Football Club. The Planning Officer advised that the Football Club were not a formal consultee and the decision on the application was not dependent upon their comments, although the application was to assist the club in meeting Football Association standards.

While members appreciated the improvements being made to the stadium members did acknowledge the highway issues and anti-social behaviour problems which affected the residents. The Planning Officer advised that in respect of monitoring of highways and implementing traffic control measures, the Highway Authority had taken the view that they would undertake monitoring when the nearby Coventry University was at full capacity. The Planning Officer suggested that the Committee write a letter to the Highways Authority expressing their concerns over parking issues and the effect on residents to which Members agreed. Members also asked that a copy of the letter be sent to the Chairman of the Football Club.

Members asked who had responsibility for implementing the Travel Plan. The Planning Officer advised that the Travel Plan was thorough and suggested that the implementation of the plan could be included in the letter to the Highway Authority.

**RESOLVED** that permission be **GRANTED** subject to the conditions set out in the report, the addition of a condition in respect of the Travel and Event Management Plan and informatives be added in respect of construction management arrangements and measures to review anti-social behaviour.

**5. PLANNING APPLICATION - (18/02123/FL) - CAYTON BAY HOLIDAY PARK, MILL LANE, CAYTON**

The Chairman reported that this item had been withdrawn.

**6. PLANNING APPLICATION - (18/02334/OL) - LAND SOUTH OF 4 SCALBY ROAD, BURNISTON**

The Committee considered:-

- (i) a planning application for erection of new dwellings for Mr Michael Cox and Mrs Judith Carey; and
- (ii) a report of the Planning Services Manager (Reference 18/282).

Updating the report the Planning Officer advised that a total of 16 letters of objection had been received which raised the same issues as set out in the report. The Highways Authority had no objections to the application. The Parish Council objected because, in their view, the application conflicted with policies set out in the local plan, there would be environmental harm and there was a highway safety risk. The Ecologist submitted his observations on the habitat potential for birds, bats, amphibians, etc, and recommended a

condition for bio-diversity enhancement measures if the application was granted.

**RESOLVED** that Officers be granted delegated authority to **REFUSE** the application for the reasons set out in the report with the addition to the second reason of wording in relation to there being a significant impact on the setting of the Conservation Area, and also that no further substantive issues are raised in the consultation period.

**7. PLANNING APPLICATION - (18/02336/LB) - SOUTH CLIFF GARDENS, ESPLANADE, SCARBOROUGH**

The Committee considered:-

- (i) a planning application for refurbishment and structural works to re-open tunnel under funicular cliff railway and removal of adjacent steps with second tunnel under. Alterations to levels with associated drainage, retaining and landscaping works, for Southern Green (Mr Alasdair Rigby); and
- (ii) a report of the Planning Services Manager (Reference 18/277).

**RESOLVED** that permission be **GRANTED** subject to the conditions set out in the report.

**8. PLANNING APPLICATION - (18/02357/RG3) - SOUTH CLIFF GARDENS, ESPLANADE, SCARBOROUGH**

The Committee considered:-

- (i) a planning application for demolition of existing maintenance shed and erection of single storey community/training facility (D1) and maintenance / operations centre (B8), for Scarborough Borough Council (Project Services); and
- (ii) a report of the Planning Services Manager (Reference 18/278).

**RESOLVED** that permission be **GRANTED** subject to conditions set out in the report.

**9. PLANNING APPLICATION - (18/02490/AA) - THREE SITES ALONG WESTBOROUGH & NEWBOROUGH, SCARBOROUGH**

The Committee considered:-

- (i) a planning application for three banner signs for Scarborough Borough Council; and
- (ii) a report of the Planning Services Manager (Reference 18/290).

The Planning Officer confirmed that enquiries would be made to check whether there would be any interruption to the CCTV coverage from the banners.

**RESOLVED** that permission be **GRANTED** subject to the condition set out in the report.

**10. PLANNING APPLICATION - (18/01614/AA) - 49 NEWBOROUGH, SCARBOROUGH**

The Committee considered:-

- (i) a planning application for installation of 1 no. wall mounted vinyl sign on 49 Newborough and 8 no. lamp post mounted projection signs on Eastborough and Newborough, for Scarborough Borough Council (Mrs M Elwick); and

(ii) a report of the Planning Services Manager (Reference 18/256). The Planning Officer confirmed further enquiries would be made on whether it would be possible to use a different material other than vinyl for the sign. There was a standard condition regarding removal of the sign if it fell into disrepair.

**RESOLVED** that permission be **GRANTED** subject to the condition set out in the report.

**11. PLANNING APPLICATION - (18/01256/HS) - 1 WREA HEAD COTTAGES, BARMOOR LANE, SCALBY**

The Committee considered:-

- (i) a planning application for proposed porch extension to dwelling and construction of detached garage, Mr Gordon Jenkinson; and
- (ii) a report of the Planning Services Manager (Reference 18/254).

Cllr David Jeffels declared a person interest as he was acting as substitute for Councillor Andrew Jenkinson and this application was for Councillor Jenkinson's brother.

**RESOLVED** that permission be **GRANTED** subject to the conditions set out in the report.

**12. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT 2019 AND ADOPTION**

The Committee considered a report of the Director (RB) (Reference 18/265) regarding the Affordable Housing Supplementary Planning Document (AHSPD).

The Planning Officer advised Members on the main points in the report notably that the revised Supplementary Planning Document took into account changes to the formal definition of affordable housing and revised information on viability and the thresholds for affordable provision in accordance with the latest national planning guidance. For example the government changed the threshold for providing affordable housing from 11 dwellings to 10 dwellings and introduced affordable housing on areas of land of at least 0.5ha irrespective of numbers of dwellings, which means that negotiations can take place on smaller schemes.

The National Described Space Standards were reflected in Council policy; however, these were aspirational. The revised guidance proposes that the Registered Provider would be given the opportunity to determine if the proposed design met their own standards and requirements. In addition the Registered Provider must be able to demonstrate a local presence; this is to ensure that tenants receive an appropriate level of service and prevent delays in responding to issues from Registered Providers who could be based in another part of the country.

There was a minor correction to the report in paragraph 5.17 which should read "...all RP's may not apply these standards...".

A further change regarding affordable homes with Discount Sales Marketing, now classed as an affordable product without having to be a first time buyer, with at least 20% discount. There were no schemes of this type in this area but could be an option in the future. Planning Officers would work with Housing Services to research this product, see how it works and ensure that these properties remain as a discount property when sold on. A report would

come back to members next year and an addendum added to the AHSPD to reflect this, if necessary.

A number of other issues raised by housebuilders in the Appendices referred to issues that had already been adopted in the existing SPD so there was no intention to revisit these as they already been through the due process.

Separate to the Affordable Housing SPD, a minor change was also proposed to the criteria for assessing persons who wished to be added to the self-build register. The Council's financial solvency test approved in November 2017 required the developer to demonstrate that s/he could both afford to buy the plot and construct a dwelling, but regulations only required the former criterion, which it was proposed to adopt instead.

A member asked how the financial solvency test had been challenged. The Planning Officer advised that this had been referred to at a conference when it was pointed out that the financial test went further than the regulations permitted. This was done in good faith so that the land went on to be developed, however the Regulations only state that developer can demonstrate that they can afford to buy the land.

**RESOLVED** that the Council be recommended to:

- i) Adopt the revised Affordable Housing Supplementary Planning Document and that the document is thereafter used in the determination of planning applications;
- ii) Amend the criteria for assessing persons who wished to be added to the self-build register as outlined above; and
- iii) Instruct that further research and consultation is carried out into the Discount Sales Market Housing product by Planning and Housing Services and further guidance on this be published as an addendum to the Affordable Housing SPD if necessary.

#### **Reasons**

Since the Affordable Housing Supplementary Planning Document (SPD) was updated and adopted earlier this year the NPPF has been revised. It is important that the SPD is a dynamic document that is updated as and when changes take place to national policy and guidance.

### **13. PLANNING APPEALS**

The Committee considered a report of the Planning Services Manager (Reference 18/279) in respect of current appeals which have been lodged against decisions of the Council. There were no updates to the report.

**RESOLVED** that progress with current appeals and recent appeal decisions be noted.

**Chairman**

## NOTES