

PLANNING & DEVELOPMENT COMMITTEE

At a meeting held on Thursday, 7 November 2019

Present:-

Councillor E Broadbent (Chairman) in the Chair;
Councillors P H Trumper, C Pearson, Ms R Swiers, Mrs M Watson, G Goodberry,
D C Jeffels, S Campbell, Ms T Norton, S Sharma, M Stonehouse, J Grieve,
P Kershaw, P Riley and S Cross (as a substitute for J Casey)

1. DECLARATIONS OF INTERESTS

No declarations of interests were received.

2. MINUTES

RESOLVED that the minutes of the meeting held on 3 October 2019 be approved as a correct record and signed by the Chairman.

3. PUBLIC QUESTION TIME

There were no public questions.

4. PLANNING APPLICATION 18/02708/RG4 - FORMER ATLANTIS SITE, PEASHOLM GAP, SCARBOROUGH

The committee considered:

- i a planning application for proposed mixed use development comprising multiplex cinema, residential apartments, restaurants, shops, gym, sky bar & multi-storey car park for Benchmark Leisure Limited;
- ii a report of the Planning Services Manager (reference 19/234).

Clarifying the report, the planning officer confirmed that Condition 2 was designed to ensure that the cinema was delivered as part of the scheme (contrary to the wording of paragraph 7.13) by stating that 'Units 1-9, the gym and no more than 9 of the apartments shall be occupied prior to the proposed multiplex cinema coming into use.' In accordance with the Council's Public Speaking Scheme, the agent, Mr J Stentiford spoke in support of the application. Ward councillor, Councillor Atkinson then spoke against the application, criticising the design and appearance of the development which he felt was more suited to an office block in a financial sector, the dramatic reduction in parking places in the revised proposals, and the failure to take into account considerations of sustainability. Most Members of the committee spoke in support of the application, citing the long wait for a multiplex cinema in the town, the poor appearance of the former Atlantis site, that currently local cinema goers were having to travel to York, the boost to the visitor economy, its regeneration potential, and that the revised proposals were more accessible for disabled people. On the negative side, Members referred to the loss of Section 106 contributions (with the exception of highways), the inadequate number and type of electric charging points, and the potential adverse effect of residents' parking in the surrounding area which would need to be monitored.

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

5. PLANNING APPLICATION 19/01519/FL - MANOR ROAD NURSERIES, MANOR ROAD, SCARBOROUGH

The committee considered:

- (i) a planning application for erection of 40no. dwellings with associated access roads and landscaping for Thompson Homes (Yorkshire) Ltd; and
- (ii) a report of the Planning Services Manager (reference 19/228).

Updating the report, the planning officer advised that he would be pursuing a response from the local Clinical Commissioning Group to confirm if they recommended a financial contribution from the developer towards local NHS services (the effect on these services had been raised as a concern by a member of the public in the consultation). Members welcomed the proposed development citing the lengthy ecologist's report and provision for wildlife, the boost for local employment, and the opportunity for excellent landscaping. However, there were concerns raised by the small size of the third bedroom in the three bedroomed properties, and how sustainable the proposals were in light of the Council's declaration of a climate emergency earlier this year. Planning officers responded that the upcoming review of the Local Plan and the Government consultation on building control regulations were two opportunities to address the climate emergency, whilst the dwellings were considered to be of a reasonable size in terms of the floor space to be provided. The Local Planning Authority's lack of adopted standards for room sizes could also be an issue for the Local Plan review.

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

6. PLANNING APPLICATION 19/01374/FLA - 84-86 FILEY ROAD, SCARBOROUGH

The committee considered:

- (i) a planning application for variation of condition 1 relating to decision reference 18/01640/FLA for J Lavin; and
- (ii) a report of the Planning Services Manager (reference 19/219).

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

7. PLANNING APPLICATION 19/01781/FL - SCARBOROUGH COLLEGE, FILEY ROAD, SCARBOROUGH

The committee considered:

- (i) a planning application for regularisation of hours of use of existing artificial grass pitch and erection of replacement sports lighting for Scarborough College; and
- (ii) a report of the Planning Services Manager (reference 19/237).

Members welcomed this report, one councillor quoting a letter from a qualified hockey coach who stressed the importance of the continuation of these facilities for local junior hockey participation.

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

8. PLANNING APPLICATION 19/01874/RG3 - VARIOUS LOCATIONS, WEST SIDE, WHITBY

The committee considered:

- (i) a planning application for 7 galvanised wire sculptures associated with heritage trail for Scarborough Borough Council; and
- (ii) a report of the Planning Services Manager (reference 19/220).

Updating the report, the planning officer advised that Whitby Town Council would be agreeing its response to the consultation at its meeting on 12 November, and therefore sought delegated authority to resolve any new issues which may be raised by the town council should the committee grant planning permission. Ward Member, Councillor Sue Tucker then addressed the meeting raising concerns that the sculptures could be vulnerable to vandalism, citing one example which had already been tampered with in its current location, and that the sculptures could pose a health and safety risk, for example, a trip hazard or a climbing temptation for children. Members of the committee welcomed the proposals, but some voiced similar concerns to Councillor Tucker. The planning officer explained that the sculptures would also require a licence from the Highway Authority which would entail an assessment of the risks alluded to by Members.

RESOLVED that permission be **GRANTED** subject to the conditions set out in the report with powers delegated to officers to consider any new issues raised by the comments of Whitby Town Council.

9. PLANNING APPLICATION 19/01960/FLA - SITE AT CHURCH CLIFF DRIVE FILEY

The committee considered:

- (i) a planning application for the variation of condition 1 (plan list) and 11 (floor levels) on decision 17/02734/FL dated 03.04.2019 to allow alterations to site levels, associated retaining structures and boundary treatment for McCarthy And Stone Retirement Lifestyles Ltd;
- (ii) a report of the Planning Services Manager (reference 19/232)..

In his introduction the planning officer advised of several amendments to the conditions outlined in the report:

- amend Condition 1 to include further plans submitted by the applicant which take into account the Lead Local Flood Authority's comments and recommendations set out in paragraph 4.2 of the report
- amend Condition 15 to take into account that details of finished floor levels had now been submitted
- delete Conditions 16 & 17 which are superfluous since they duplicate Conditions 13 & 14

Substitute Member of the committee and local ward Member, Councillor Cross echoed Filey Town Council's objections to the scheme because of the increased flood risk they believed was brought about by the proposed variation of Condition 11.

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

10. PLANNING APPLICATION 19/01463/FL - CAYTON VILLAGE CARAVAN AND MOTORHOME CLUB SITE, MILL LANE, CAYTON

The committee considered:

- (i) a planning application for reconfiguration of existing site to provide 207 caravan and motorhome pitches, 12 glamping pods and 12 tent pitches with 2 no. toilet blocks, additional warden compounds, garage and store, 2no. water booster systems and play area. Plus associated alterations to site roads, landscaping, car parking and site security barriers for the Caravan and Motorhome Club; and
- (ii) a report of the Planning Services Manager (reference 19/218).

Updating the report, the planning officer advised that the applicant had since submitted detailed drainage proposals for the scheme to the satisfaction of both the Lead Local Flood Authority and Yorkshire Water which rendered unnecessary the pre-commencement conditions 7 and 11 required by both bodies. The revised consultee comments also resulted in amendments to conditions 9 and 10 in the report.

RESOLVED that permission be **GRANTED** subject to the conditions set out in the report as amended by the planning officer at the meeting.

11. PLANNING APPLICATION 19/02127/RG3 - 52 MANHAM HILL, EASTFIELD

The committee considered:

- (i) a planning application for change of use from tattoo studio to dog grooming parlour (sui generis) for Scarborough Borough Council; and
- (ii) a report of the Planning Services Manager (reference 19/217).

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

12. PLANNING APPLICATION 19/01958/HS - 36 HERON LANE, CROSSGATES

The committee considered:

- (i) a planning application for the erection of conservatory at rear for Mrs Louise Spurden; and
- (ii) a report of the Planning Services Manager (reference 19/215).

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

13. PHONE KIOSKS

The committee considered a report of the Planning Services Manager (reference 19/205) in respect of the Borough Council's recommended response to British Telecom's recent consultation on the proposed removal of 37 telephone kiosks in the Borough. Introducing the report, the planning officer referred to three further responses which had been received since publication: North York Moors National Park Authority which felt that both the quality and reliability of mobile phone coverage should be considered but deferred to the knowledge of local residents; a resident of Egton who contended that the mobile phone coverage in the village was good and the phone box an eyesore; and Eskdale Parish Council which confirmed the case for the retention of the kiosks in Littlebeck and Sleights. Members were advised that OFCOM used specific criteria for considering the case for

removing telephone kiosks. The majority of objections to removal tended to relate to two of the criteria: poor mobile phone coverage and the need for use in emergencies, and this was the case in respect of the 15 sites proposed for retention in the report. Asked if there could be grounds for retention of the phone box at Newlands Park Drive because of the high concentration of private rented or council housing in this area (one of the factors in the OFCOM guidelines), the planning officer advised that the parish council would have a further opportunity to submit reasons for retention, but overall he did not believe the case was strong enough with reference to the OFCOM guidelines.

RESOLVED that:

1. Table 1 of this report be the basis for publishing the 'First Notification'; ie the initial response on the removal of 37 no. phone kiosks across the Borough; and
2. Due to the time restrictions in providing a 'Final Notification', Officers be given delegated authority to reply to BT taking into account any further comments on the removal of phone kiosks following at least one month from the publication of the 'First Notification'.

Reasons

The reasons for the proposed objection to certain phone kiosks are set out in the report and based on the responses from Town and Parish Councils and the local community.

The reason that delegated authority is sought for the 'Final Notification' is to ensure a response is sent to BT within the timescales set.

14. PLANNING APPEALS

The committee considered a report of the Planning Services Manager (Reference 19/216) in respect of current appeals which had been lodged against the decisions of the Council. There were no updates to the report.

RESOLVED that progress with current appeals be noted.

Chairman