

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 10 February 2016
Time:	2.00 p.m.
Present:	Councillors Cattanach (Chair), R Musgrave (Vice Chair), Mrs L Casling, I Chilvers, J Deans, D Mackay, C Pearson, and Mrs S Duckett (substitute for Councillor J Crawford).
Apologies for Absence:	Councillors J Crawford and B Marshall.
Officers Present:	Richard Sunter – Lead Officer, Planning, Calum Rowley – Senior Planning Officer, Ruth Hardingham – Principal Planning Officer, Jeanette Davey – Planning Officer, Gillian Marshall – Solicitor to the Council, and Janine Jenkinson – Democratic Services Officer.
Public:	36
Press:	1

54. DISCLOSURES OF INTEREST

The following declarations were made:

In relation to application 2014/1125/COU – Land adjacent Brickyard Farm, Selby Road, Councillor I Chilvers stated that he did not have an interest to declare, but that he wished for it to be noted that the application had been discussed at a parish meeting at which he had been present. He stated that he had not expressed a view on the merits of the application at the meeting, due to being a member of the Planning Committee. He wished to state that he had come to the Planning Committee meeting to hear the presentations and to form a view based on all the evidence presented. He added that he had not predetermined the application, and therefore he would be participating in the meeting and voting.

In relation to applications 2015/1240/FUL – Westfield Road, Eggborough and 2015/1237/FUL – Parking Court behind 2-10 Westfield Grove, Councillor R Musgrave wished for it to be noted that he had been involved in a project group, a number of years ago, that had considered Council owned sites suitable for redevelopment.

Councillor J Deans informed the Committee that he had received a number of representations in relation to application 2015/0907/OUT – West Farm, West End, Ulleskelf.

The Chair informed the Committee that he had received a number of representations in relation to application 2014/1125/COU – Land adjacent Brickyard Farm, Selby Road.

55. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that item 6.2 – 2015/0907/OUT – West Farm, West End, Ulleskelf had been withdrawn from the agenda by the Lead Officer, Planning prior to the Committee meeting.

In relation to application 2014/1125/COU – Land adjacent Brickyard Farm, Selby Road, the Chair informed the Committee that the item would be audio recorded by a member of the public.

56. MINUTES

The Committee considered the minutes of the last meeting held on 6 January 2016.

RESOLVED:

To APPROVE the minutes of the Planning Committee held on 6 January 2016, and they be signed by the Chair.

57. SUSPENSION OF COUNCIL PROCEDURE RULES

The Committee considered the suspension of Council Procedure Rules 15.1 and 15.6 in the Constitution, to allow a more effective discussion on applications.

RESOLVED:

To agree the suspension of Council Procedure Rules 15.1 and 15.6 (a) for the Committee meeting.

58. PLANNING APPLICATIONS RECEIVED

- 58.1 **Application:** 2014/1125/COU
 Location: Land adjacent Brickyard Farm, Selby Road, Camblesforth
 Proposal: Resubmission for change of use of land to create a holiday park consisting of the siting of 10 log cabins and use of an existing cabin as manager's accommodation.

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

The application had been brought before Committee because it was a resubmission of an application (planning reference 2013/0651/COU) which had previously been refused by Planning Committee on 9 July 2014. There had also been more than 10 representations received which had raised material planning considerations. In addition, a former Member, Councillor Price had requested the application be considered by the Planning Committee for the reasons outlined in the report.

It was noted that the application would be located within the countryside and outside of the development limits of settlements and would not comply with Policy RT11, and was therefore considered to be contrary to the Selby District Local Plan.

The Committee was advised that little weight should be given to Policy RT11 because of the conflict of Policy RT11 with Policy SP13 of the Core Strategy and the core planning principles set within the National Planning Policy Framework (NPPF), which were more up to date than Policy RT11 of the Selby District Local Plan.

The Principal Planning Officer informed Councillors that these were material planning considerations which outweighed the conflict with Policy RT11. In addition, the application was considered to be of direct benefit to the rural economy and was therefore in accordance with policies SP2 and SP13 of the Selby District Local.

Councillors were advised that the application was considered to be acceptable, on balance, in principle, in the proposed location, and were therefore recommended to approve the application.

Mr Summerton, a local resident, spoke in objection to the application.

Mr Hiles, Parish Councillor, spoke in objection to the application.

Councillor Mark Crane, Ward Councillor, spoke in objection to the application.

Melissa Madge, Agent spoke in support of the application.

Some Councillors felt that all the issues raised by the application could be suitably addressed by attaching appropriate conditions.

The Principal Planning Officer's recommendation to approve the application was moved and seconded.

The proposal was not supported by the Committee and fell accordingly.

Some Councillors raised concerns in relation to visibility, overgrown road verges, traffic, highway safety, inadequate access, and lack of car parking provision.

An amendment to defer the application, to allow a Highways Officer to attend a future Planning Committee meeting, in order to provide further information regarding highway safety issues was moved and seconded.

RESOLVED:

To DEFER the application, to allow a Highways Officer to attend a future Planning Committee meeting, in order to provide further information regarding highway safety issues.

- 58.2** **Application:** 2015/0907/OUT
Location: West Farm, West End, Ulleskelf
Proposal: Outline application for erection of up to 30 dwellings following demolition of existing dwelling and farm-buildings to include access, landscaping and scale.

The application had been withdrawn from the agenda prior to the Committee meeting.

- 58.3** **Application:** 2015/1172/OUT
Location: Land adjacent to Southland, Broach Lane, Kellington
Proposal: Outline planning permission (all matters reserved) for a residential development (Resubmission of 2015/0546/OUT).

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

Councillors were informed that the application had been brought before the Planning Committee due to the proposal being a departure from the Development Plan.

The application site was located outside the defined development limits in an area of open countryside immediately adjacent to the defined development limits of Kellington.

The Principal Planning Officer reported that the proposal was therefore contrary to Policy SP2A(c) of the Core Strategy; however, development limits were currently under review as part of PLAN Selby Sites and Allocations Document, in-line with commentary detailed in the Core Strategy. In addition, Councillors were informed that there was a need to maintain the 5 year land supply until PLAN Selby had been adopted.

The Principal Planning Officer informed the Committee that in evaluating the application, the relationship of the proposal to the edge of the settlement and defined development limit was, on balance considered acceptable. Councillors were recommended to approve the application.

Sandra Mills, a local resident, spoke in objection to the application.

John McCartney, Parish Councillor, spoke in objection to the application.

Mrs Mary McCartney, Ward Councillor, spoke in objection to the application.

Rachel Bartlett, Agent, spoke in support of the application.

The Principal Planning Officer's recommendation to approve the application was moved and seconded.

An amendment to refuse the application, on the grounds the proposal was contrary to Policy SP2 (c) was moved. The amendment was not seconded and fell accordingly.

The proposal to approve the application was voted upon.

RESOLVED:

To APPROVE the application, subject to completion of a Section 106 Agreement or unilateral undertaking to secure an affordable housing contribution and subject to the conditions detailed in section 2.19 of the report.

**58.4 Application: 2015/1240/FUL
 Location: Westfield Road, Eggborough
 Proposal: Proposed demolition of existing garage block and the erection of 5 No. new 2 bedroom bungalows, plus the provision of additional parking on the garage site accessed from Westfield Road at parking court behind 18-34.**

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

The application had been brought before the Planning Committee due to the applicant being Selby District Council.

The Committee was informed that the site was located within the defined development limits of Eggborough which was defined as a Designated Service Village (DSV) in the Core Strategy. The proposed dwellings would be single storey in height and located within a predominately residential area.

The Senior Planning Officer advised Councillors that the proposal was considered to be acceptable when assessed against the policies in the NPPF, the Selby District Local Plan and the Core Strategy. Councillors were recommended to approve the application.

Fred Morriot, a local resident, spoke in objection to the application.

John McCartney, on behalf of Eggborough Parish Council, spoke in objection to the application.

Mrs Mary McCartney, Ward Councillor, spoke in objection to the application.

The Senior Planning Officer's recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to the conditions detailed in section 3 of the report.

58.5	Application:	2015/1237/FUL
	Location:	Parking Court behind 2-10 Westfield Grove, Eggborough
	Proposal:	Proposed erection of 5 No. new 2 bedroom bungalows, plus the provision of additional parking following demolition of existing garages on the garage site accessed from Westfield Grove.

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

The application had been brought before the Planning Committee due to the applicant being Selby District Council.

Councillors were advised that having had regard to all issues, it was considered that the proposal was acceptable in regards to all matters of acknowledged importance, subject to appropriate conditions being attached.

The Committee was recommended to approve the application.

John McCartney, on behalf of Eggborough Parish Council spoke in objection to the application.

Mrs Mary McCartney, Ward Councillor, spoke in objection to the application.

The Senior Planning Officer's recommendation was moved and seconded.

RESOLVED:

To APPROVE the application subject to the conditions detailed in section 3 of the report, and the conditions, as detailed in the officer Update Note.

- 58.6** **Application:** 2015/0687/OUT
 Location: Jackadory, 37 York Road, Riccall
 Proposal: Outline application with all matters reserved for
 the erection of a dwelling.

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

The application had been brought before the Planning Committee due to the proposal being a departure from the Development Plan.

The Senior Planning Officer advised the Committee that having had regard to all relevant matters the proposal was considered, on balance to be acceptable when assessed against the policies in the NPPF, the Selby District Local Plan and the Core Strategy.

Councillors were recommended to approve the application.

Mark Newby, Agent, spoke in support of the application.

The Senior Planning Officer's recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to completion of a Section 106 Agreement or unilateral undertaking to secure an affordable housing contribution and subject to the conditions detailed in section 2.17 of the report.

- 58.7** **Application:** 2015/1007/FUL
 Location: Springfield House Farm
 Green Lane, North Duffield
 Proposal: Demolition of existing agricultural buildings and
 erection of 5 detached dwellings and 1 detached
 garage.

The Planning Officer introduced the application and referred the Committee to the additional information provided in the update note.

The application had been brought before the Planning Committee due to the proposal being a departure from the Development Plan.

Councillors were informed that the proposal was considered to be acceptable when assessed against the Selby District Local Plan, the Core Strategy and all other

material considerations. The Committee was recommended to approve the application.

The Planning Officer's recommendation was moved and seconded.

RESOLVED:

To APPROVE the application subject to the completion of a Section 106 Agreement in order to secure a commuted sum towards affordable housing, the conditions detailed in section 3 of the report, and the additional conditions as detailed in the officer Update Note.

Councillor R Musgrave left the Council Chamber during the consideration of the following item. He took no part in the discussion or vote.

58.8	Application:	2015/0103/OUT
	Location:	Woodland House School Road Hemingbrough
	Proposal:	Outline application with all matters reserved for residential development on land adjoining.

The Lead Officer, Planning introduced the application.

The application had been brought before the Planning Committee to allow the Committee to review the decision made at the meeting on July 2015, to grant planning permission subject to the completion of a Section 106 Agreement. . The Agreement had not completed and permission had not been issued. The application needed to be reconsidered, due to a material change in circumstances, namely the Council's position on the five year housing land supply and the introduction of the Community Infrastructure Levy (CIL).

The Lead Officer, Planning advised the Committee that on balance, it was considered that the development would be appropriate to the size and role of the settlement which was designated as a Designated Service Village in the Core Strategy. The application would contribute appropriately to maintaining the Council's five year housing land supply, the development constituted sustainable development and the site would not have a significantly detrimental impact on the settlement form, character or the landscape.

The Committee was recommended to approve the application.

Matthew Mortonson, Agent, spoke in support of the application.

The recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to delegation being given to officers to negotiate and complete a Section 106 Agreement to

secure 40% on-site affordable housing provision and subject to the conditions detailed in section 2.24 of Appendix 1 of the report.

Councillor R Musgrave re-joined the Committee meeting.

**58.9 Application: 2015/1215/FUL
 Location: 22 Steincroft Road
 South Milford
 Proposal: Section 73 application for the variation of condition 7
 (drawings) of approval 2014/1306/FUL for proposed
 erection of a two bedroom dwelling within grounds.**

The Lead Officer, Planning introduced the application.

The application had been brought before the Planning Committee as officers considered that although the proposal was contrary to the provisions of the Development Plan, there were material considerations which would justify approving the application.

The application sought to vary Condition 7 (approved plans/drawing) of the original permission (2014/1306/FUL). Councillors were advised that the principle of residential development on the site had been firmly established under the previous, extant planning permission. Furthermore, the proposal was considered acceptable in respect of its design, impact on residential amenity and character of the area.

However, Councillors were advised that in-line with Policy SP9 of the Core Strategy the application should be subject to a contribution towards the provision of affordable housing. The Lead Officer, Planning informed the Committee that any proposal not in accordance with Policy SP9, should be refused unless material considerations indicated otherwise. Councillors were advised that the extant consent represented a fall-back position and therefore it would be unreasonable to require the applicant to pay the commuted sum required under Policy SP9.

The Lead Officer, Planning stated that the fall-back position was of sufficient weight to outweigh the policy requirement for a commuted sum on affordable housing.

Councillors were recommended to approve the application.

The recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to the conditions detailed in section 2.17 of the report.

58.10 **Application:** **2015/1192/FUL**
 Location: **Land to the rear of**
 Fairfield
 York Road, Cliffe
 Proposal: **Section 73 application for variation of condition 14**
 (Drawings) regarding plot 14 of approval
 2005/1526/FUL for proposed erection of 14 No
 dwelling with associated parking following
 approved outline permission 8/17/85D/PA.

The Lead Officer, Planning introduced the application.

The application had been brought before the Planning Committee as officers considered that although the proposal was contrary to the provisions of the Development Plan, there were material considerations which would justify approving the application.

The application sought to vary Condition 14 (approved plans/drawing) of the original permission (2005/1526/FUL). Councillors were advised that the principle of development for residential development on the site had been firmly established under the previous, extant planning permission. Furthermore, the proposal was considered acceptable in respect of its design, impact on residential amenity and the character of the area.

However, Councillors were advised that in-line with Policy SP9 of the Core Strategy, the application should be subject to a contribution towards the provision of affordable housing. The Lead Officer, Planning informed the Committee that any proposal not in accordance with Policy SP9, should therefore be refused unless material considerations indicated otherwise. Councillors were advised that the extant consent represented a fall-back position and therefore it would be unreasonable to require the applicant to pay the commuted sum required under Policy SP9.

The Lead Officer, Planning stated that the fall-back position was of sufficient weight to outweigh the policy requirement for a commuted sum on affordable housing.

Councillors were recommended to approve the application.

The recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to the conditions detailed in section 2.18 of the report.

The Chair closed the meeting at 4.30 p.m.