

Minutes

Planning Committee

Venue:	Council Chamber
Date:	9 March 2016
Time:	2.00 p.m.
Present:	Councillors Cattanach (Chair), R Musgrave (Vice Chair), D Buckle (substitute for Councillor J Deans), I Chilvers, D Mackay, C Pearson, B Marshall, P Welch (substitute for Councillor J Crawford), and Mrs D White (substitute for Mrs E Casling),
Apologies for Absence:	Councillors J Deans, J Crawford and Mrs E Casling.
Officers Present:	Richard Sunter – Lead Officer, Planning, Ruth Hardingham – Principal Planning Officer, Jeanette Davey - Planning Officer, Nigel Gould - Planning Officer, Ben Hymes – Environmental Health Officer, Kelly Hamblin – Senior Solicitor, and Janine Jenkinson – Democratic Services Officer.
Public:	58
Press:	1

59. DISCLOSURES OF INTEREST

In relation to application 2014/1307/FUL – Oak Tree Farm, Selby Common, Selby, Councillor I Chilvers stated that his wife Councillor J Chilvers would be speaking in objection to the application and therefore, to avoid any perception of bias or predetermination he would not take any part in the discussion or voting of the item.

All Councillors declared they had received correspondence in relation to 2014/1307/FUL – Oak Tree Farm, Selby Common, Selby.

60. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that application 2014/1125/COU – Land adjacent Brickyard Farm, Selby Road had been withdrawn from the agenda, on the advice of the Council's Legal Department, for reasons in relation to the interpretation and application of Policy SP13.

The Committee was also advised that application 2015/1235/FUL – Smeathalls Farm, Birkin Lane, Birkin had been withdrawn from the agenda.

61. MINUTES

The Committee considered the minutes of the meeting held on 10 February 2016.

RESOLVED:

To APPROVE the minutes of the Planning Committee held on 10 February 2016, and they be signed by the Chair.

62. 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.

63. PLANNING APPLICATIONS RECEIVED

63.1 Application: 2015/0289/COU
Location: Lumby Hall
Butts Lane, Lumby
Proposal: Retrospective change of use of land for residential
and a function and events venue.

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

The application had been deferred at a previous Committee meeting, in order to allow the Environmental Health Officer to provide noise monitoring measurements and to enable the applicant to discuss their proposed noise mitigation measures and conditions with the Planning Officer.

Councillors were recommended to refuse the application due to impact on amenity for local residents, in conflict with the adopted policy and the National Planning Policy Framework (NPPF).

Keith Ward, a local resident, spoke in objection to the application.

Richard Coy, Parish Councillor, spoke in objection to the application.

Councillor D Hutchinson, Ward Councillor, spoke in objection to the application.

Chris Chittock, Managing Director of Dragonfly Acoustics Ltd, spoke on behalf of the applicant, in support of the application.

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

RESOLVED:

To REFUSE the application for the reasons as set out in the report and the update note.

In-line with his declaration of interest, Councillor I Chilvers remained in the Council Chamber for the following item, but took no part in the discussion or vote of the item.

63.2 Application: 2014/1307/FUL
Location: Oak Tree Farm, Selby Common, Selby
Proposal: Application for the erection, 25 year operation and subsequent decommissioning of a wind turbine measuring 77.9 m to blade tip.

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 the Planning Committee due to the proposal receiving over ten representations of support and the officer recommending the application be refused.

Councillors were informed that having had regard to the Development Plan, it was considered that the proposal was acceptable and should therefore be approved unless material considerations indicated otherwise. The Principal Planning Officer advised the Committee that three material policy considerations were: the NPPF, the written Ministerial Statement and the Planning Practice Guidance (PPG).

The Principal Planning Officer noted that a substantial number of objections had been received from members of the affected local communities, which identified concerns relating to impact on landscape, ecology and residential amenity.

Councillors were informed that the applicant had provided a critique of how he felt the objections of the local community had been overcome. However, the Principal Planning Officer stated that the scheme had not been altered or amended in any way to overcome the concerns raised. Therefore, it was considered that the planning impacts had not been fully addressed and the application did not have the support of the local affected community.

The Principal Planning Officer therefore concluded that the proposal was not in accordance with the guidance contained within the PPG and should be refused.

Ian Vinton, a local resident, spoke in objection to the application.

Councillor J Chilvers, Ward Councillor, spoke in objection to the application.

Richard Hind, the applicant, spoke in support of the application.

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

RESOLVED:

To REFUSE the application for the reasons set out at section 2.21 of the report.

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

63.4 Application: 2015/1121/OUT
Location: Selby Road, Camblesforth, Selby
Proposal: Outline application to include access for residential
development on land to the north of the A1041.

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 the Planning Committee due to the proposal being contrary to the provisions of the Development Plan and over ten representations of support being received.

The Principal Planning Officer informed the Committee that there were clear defensible boundaries to the south of the application site in the form of the A1041 and the existing residential properties. The proposed scheme, by virtue of its size, scale and location, would result in a substantial encroachment into the countryside that would be readily visible from the public view points and would appear as a discordant addition to the village. The application was therefore deemed to be unacceptable in respect of its relationship to the development limits and harm to the countryside.

The Principal Planning Officer advised that there were no other material planning considerations which indicated the development should be approved. It was on this basis Councillors were recommended to refuse the application.

Councillor M Jordan, Ward Councillor, spoke in support of the application.

Claire Richards, the Agent, spoke in support of the application.

A proposal to refuse the application was moved and seconded.

An amendment to approve the application, on the grounds that Camblesforth was a secondary village with a number of existing facilities and would be able to sustain further development was moved and seconded. The proposal was not supported by the Committee and fell accordingly.

The proposal to refuse the application was voted upon.

RESOLVED:

To REFUSE the application for the reasons set out in section 2.22 of the report.

**63.5 Application: 2015/1346/FUL
 Location: Home Farm, High Street, Carlton
 Proposal: Proposed erection of 4 No. terrace houses.**

The Principal Planning Officer introduced the application.

The application had been brought before the Planning Committee due to it being contrary to the provisions of the Development Plan and officers recommending the application for approval.

The Committee was advised that the proposed site was located partly within and partly outside the defined development limits of Carlton. The proposal was therefore contrary to Policy SP2A (c) of the Core Strategy. However, it was noted that the development limits were currently under review as part of the PLAN Selby sites and allocations document, in line with commentary detailed in the Core Strategy.

Councillors were advised having had regard to all the issues it was considered that the proposal was acceptable in regards to all matters of acknowledged importance, subject to appropriate conditions. The Committee was recommended to approve the application.

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

RESOLVED:

To APPROVE the application, subject to the conditions set out in section 3.0 of the report, and the completion of a Section 106 Agreement in order to secure a commuted sum towards affordable housing and waste and recycling.

63.6 **Application:** **2015/1235/FUL**
Location: **Smeathalls Farm, Birkin Lane, Birkin**
Proposal: **Proposed installation of an agricultural dryer,
feed hopper and associated storage building.**

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

63.7 **Application:** **2015/1145/FUL**
Location: **Holmefield Veterinary Centre**
 Brayton Lane
 Brayton
Proposal: **Proposed two storey extension to existing vets'
clinic.**

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 more than ten letters of representation being received and the officer's recommendation being contrary to these representations.

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

Richard Snow, a local resident, spoke in objection to the application.

Louise Davis, the applicant, spoke in support of the application.

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

RESOLVED:

To APPROVE the application, subject to the conditions detailed in section 3.0 of the report.

63.8 **Application:** **2015/0210/FUL**
Location: **Fair View**
 York Road
 Cliffe, Selby
Proposal: **Proposed erection of 2 no. detached dwellings on
land to the rear.**

The Planning Officer introduced the application.

The application had been brought before the Planning Committee due to the proposal not fully complying with the Development Plan.

Councillors were informed that the proposal did not fully accord with the provisions of the Development Plan, namely part SP4 (a) of the Core Strategy. The Planning Officer reported that there were no material considerations that outweighed the policy conflict. The proposal was therefore considered unacceptable in principle when assessed against the Policy SP4 (a) of the Core Strategy.

The Committee was recommended to refuse the application.

Councillor K Arthur, spoke in support of the application.

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

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

An amendment to approve the application, on the grounds that the proposed development was limited and would be sustainable, was moved and seconded. The amendment was not supported by the Committee and fell accordingly.

The Planning Officer's recommendation to refuse the application was voted upon.

RESOLVED:

To REFUSE the application for the reasons set out in the report at section 3.0 of the report.

**63.9 Application: 2015/1418/FUL
 Location: 27 West Bank
 Carlton
 Proposal: Proposed erection of replacement dwelling.**

The Planning Officer introduced the application.

Councillors were advised that the application had been brought before the Planning Committee due to a request made by the Ward Member, Councillor M Jordan for the reasons set out in the report.

The Planning Officer advised the Committee that the demolition of the existing dwelling and its redevelopment for a replacement dwelling was considered to be unacceptable in respect of the significant increase in overall volume, size, bulk and massing when compared to the existing dwelling.

The proposed demolition would also result in the loss of a dwelling within a former Land Settlement Association Area, which was considered to be an important non-designated heritage asset within the District.

Councillors were recommended to refuse the application.

Councillor M Jordan, Ward Councillor, spoke in support of the application.

Alexander Callen, the applicant, spoke in support of the application.

A proposal to refuse the application was moved and seconded.

An amendment to approve the application on the grounds the application suitability addressed the reasons for refusal, was moved and seconded and then voted upon.

RESOLVED:

To APPROVE the application, subject to delegated authority being granted to officers to attach suitable conditions and the completion of a Section 106 Agreement / Unilateral Undertaking Agreement to secure an affordable housing contribution.

**63.10 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.

The application had been considered by the Committee on 10 February 2016; however it had subsequently been found that the recommendation should have included the requirement to pay a sum towards the provision of waste and recycling facilities. Given that the resolution was subject to the completion of a Section 106 Agreement, the application was yet to be determined.

Therefore, the application had been brought before the Planning Committee to seek agreement to a revised resolution that included the provision of waste and recycling facilities in the Section 106 Agreement.

The Planning Officer's recommendation was moved and seconded.

RESOLVED:

To APPROVE the application, subject to the completion of a Section 106 Agreement to secure commuted sums towards affordable housing and waste and recycling facilities and the conditions set out in paragraph 3.0 of the report presented to Planning Committee on 10 February 2016 and the conditions in the associated Officer Update Note.

The Chair closed the meeting at 4.55 p.m.