

Planning Committee

Venue:	Council Chamber
Date:	23 March 2016
Time:	2.00 pm
Present:	Councillors Cattanach (Chair), R Musgrave (Vice Chair), E Casling, I Chilvers, J Deans, Mrs S Duckett (sub for J Crawford), D Mackay, B Marshall, and C Pearson.
Apologies for Absence:	Councillor J Crawford.
Officers Present:	Ruth Hardingham – Principal Planning Officer, Fiona Ellwood – Principal Planning Officer; Calum Rowley – Senior Planning Officer, Jeanette Davey - Planning Officer, Kelly Hamblin – Senior Solicitor, and Daniel Maguire – Democratic Services Officer.
Public:	7
Press:	1

64. DISCLOSURES OF INTEREST

In relation to application 2016/0115/FUL, Councillor Musgrave declared that he had spoken to the applicant in connection with the application as the applicant lived in his ward. Councillor Musgrave confirmed that he had an open mind regarding the application and would consider the information available to the Committee before making a decision.

65. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that application 2015/0115/FUL (agenda item 5.5) would be considered after application 2015/1403/FUL (agenda item 5.1).

66. SUSPENSION OF COUNCIL PROCEDURE RULES

The Committee considered the suspension of Council Procedure Rules 15.1 and 15.6 (a) 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.

67. PLANNING APPLICATIONS RECEIVED

**67.1 Application: 2015/1403/FUL
 Location: Street Record, Leeds Road, Thorpe Willoughby
 Proposal: Construction of a balancing pond and
 associated wildlife area on land south of
 Leeds Road.**

Councillor Mrs Casling arrived during consideration of this application and consequently did not participate in the debate or vote.

The Planning Officer introduced the application and explained that the application had been brought before the Committee due to the quantity of responses to neighbour notifications received which were in conflict with the officer's recommendation.

The Committee were informed that the application was for the construction of a balancing pond and associated wildlife area on land South of Leeds Road. It was explained that the application followed a previously approved application for a balancing pond at the same location The Planning Officer noted in particular: the removal of access for the public to the pond and wildlife area because the pond would be on private land and that the pond and landscaped area would be larger than in the previous application.

Councillors were recommended to approve the application subject to the conditions stated in the officer's report.

James Jellett, a local resident, spoke in objection to the application.

Claire Sampson on behalf of the applicant spoke in support of the application.

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

RESOLVED:

To APPROVE the application, subject to the conditions set out in section 3.0 of the officer's report.

67.2 Application: 2016/0115/FUL
Location: Towton Grange, Main Street, Towton, Tadcaster, North Yorkshire, LS24 9PB
Proposal: Provision of private rear garden, garage, carport, greenhouse and outbuildings following demolition of existing pole barn and breaking up of concrete silo bases and hardstanding

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

It was noted that the application had been brought before the Committee due to a request from the ward councillor, Councillor Keith Ellis for reasons outlined in the report. .

It was explained that the application was for a change in use of agricultural land to residential garden and the erection of a garage, carport, greenhouse and outbuildings following demolition of the existing pole barn and the breaking up of concrete silo bases and hardstanding, on a site which was located outside the defined development limits of Towton and within the Green Belt.

The Senior Planning Officer advised that, having had regard to the Development Plan, all other relevant local and national policy, consultation responses and all other material planning considerations, the proposal was considered to be inappropriate development within the Green Belt to which substantial weight should be attached and which should not be approved unless very special circumstances could be demonstrated to justify approval.

The Senior Planning Officer recommended that the Committee resolved to refuse the application for the reasons detailed in paragraph 3.0 of the report and that the Committee give delegated authority to officers to determine the application on the expiration of the 21 day statutory advertisement period, provided that no new issues were are raised in writing to the Local Planning Authority.

Tony Timmerman, the applicant, spoke in support of the application.

A proposal to approve the application was proposed and seconded. The Committee considered that there were very special circumstances that would justify approval, specifically that the application would enhance the visual appearance of the site.

RESOLVED:

(i) To APPROVE the application as the Committee felt that very special circumstances had been demonstrated, specifically that the application would enhance the Green Belt and was therefore in accordance with the relevant policy.

(ii) To give delegated authority to officers to determine the application on the expiration of the 21-day statutory advertisement

period, provided that no new issues are raised in writing to the Local Planning Authority.

67.3

**Application: 2015/1266/FUL
Location: Cherwell Croft, Hambleton, Selby.
Proposal: Section 73 application for the variation of condition 02 (plans) granted on appeal under reference APP/N2739/W/15/3009006 (2014/0500/FUL) for erection of 22 dwellings with associated access and landscaping**

The Planning Officer presented the report and explained that the application had been brought before the Committee due to the application being recommended for approval contrary to the provisions of the Development Plan.

It was explained that permission for 22 dwellings on the site was granted on appeal on 27 July 2015, with a section 106 Agreement for affordable housing and waste and recycling facilities. This application was to vary plots 11 to 22 with no changes to plots 1 to 10.

The Committee were informed that the application would be contrary to the provisions of the Development Plan in terms of the provision of affordable housing, development of land that was safeguarded for a bypass and that part of the site's location was within the open countryside.

The Planning Officer stated that the application was considered acceptable, on balance, when assessed against the policies in the National Planning Policy Framework (NPPF), Selby District Local Plan and the Core Strategy. It was stated that the application did not accord with the provisions of the Development Plan however there were material considerations that outweighed the conflict.

The Planning Officer's recommendation to approve the application, subject to the completion of a supplemental Section 106 Agreement and the conditions detailed in paragraph 3.0 of the officer's report was proposed and seconded.

RESOLVED:

To APPROVE the application subject to the completion of a Section 106 Agreement deed of variation and the conditions set out in paragraph 3.0 of the officer's report.

67.4

**Application: 2015/1389/FUL
Location: Cherwell Croft, Hambleton, Selby.
Proposal: Section 73 application for the variation of condition 2 (drawings) of approval 2015/0333/FUL: Erection of 22 No. dwellings with associated access and landscaping**

The Planning Officer presented the report and explained that the application had been brought before the Committee due to the application being recommended for approval contrary to the provisions of the Development Plan.

It was explained that permission (2015/0333/FUL) for 22 dwellings on the site was granted on 3 December 2015, with a section 106 Agreement for affordable housing and waste and recycling facilities. It was reported that this application was to vary plots 11 to 22 with no changes to plots 1 to 10.

The Planning Officer's recommendation to approve the application, subject to the completion of a supplemental Section 106 Agreement and the conditions detailed in paragraph 3.0 of the officer's report was proposed and seconded.

RESOLVED:

To APPROVE the application subject to the completion of a Section 106 Agreement deed of variation and the conditions set out in paragraph 3.0 of the officer's report.

67.5 Application: 2015/0582/FUL
Location: 60 Garden Lane, Sherburn in Elmet
Proposal: Erection of 2 No. detached dwellings.

The Senior Planning Officer presented the application, which had been brought before the Committee due to the proposals being a departure from the Development Plan.

It was explained that the proposed scheme was for the erection of two detached dwellings on land to the north of 60 Garden Lane, Sherburn in Elmet.

It was reported that, having had regard to all the issues, it was considered that the proposal was acceptable in regards to all other matters of acknowledged importance subject to appropriate conditions.

The Senior Solicitor confirmed that, if the Committee approved the application, it would be a 'minded to' decision as the 21-day statutory advertisement period had not yet expired.

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

RESOLVED:

(i) To APPROVE the application, subject to the completion of a Section 106 Agreement or a unilateral undertaking to secure an affordable housing contribution, and subject to the conditions set out in paragraph 3.0 of the officer's report.

(ii) To give delegated authority to officers to determine the application on the expiration of the 21-day statutory advertisement

period, provided that no new issues are raised in writing to the Local Planning Authority.

- 67.6 Application: 2016/1392/EIA**
Location: St Gobain Glassworks, Weeland Road, Eggborough
Proposal: Erection of a new single storey production facility for the manufacture of insulation boarding together with associated vehicle movement and parking areas.

The application was presented by the Principal Planning Officer, and the Committee's attention was drawn to the update note. The application had been brought before the Committee because the proposal was an Environmental Impact Assessment (EIA) development which was contrary to the Development Plan. However, there were material considerations which would justify approval of the application.

It was explained that the application was for full planning permission for the erection of a new single storey factory for the manufacture of PIR insulation boarding for Celotex together with associated vehicle movement and parking areas on land adjacent to the St Gobain Glass factory site, Weeland Road, Eggborough.

It was considered that any harms arising from conflict with the provisions of the Development Plan would be outweighed by the benefits of the proposal when assessed against the policies in the Core Strategy, Local Plan and the NPPF taken as a whole. The Principal Planning Officer explained that having regard to all relevant policies of the Development Plan, and other material considerations, the proposed development was considered to be acceptable subject to the imposition of conditions.

The Principal Planning Officer's recommendation was proposed and seconded.

RESOLVED:

To APPROVE the application, subject to the conditions set out in paragraph 3.0 of the officer's report.

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

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

It was explained that the application had been brought before the Planning Committee due to the scheme being a departure from the Development Plan but that very special circumstances existed to justify approval.

The Committee were informed that the proposed scheme was for the installation of an agricultural dryer, feed hopper and associated storage building and that the proposal constituted inappropriate development within the Green Belt which should only be allowed where very special circumstances were demonstrated. The Senior Planning Officer explained that the applicant had outlined the environmental and economic benefits of the scheme as outlined in the report.

It was considered that the harm to the Green Belt and any other harm were outweighed by the environmental and economic benefits of the scheme such that very special circumstances had been demonstrated that justified approval of the proposal.

The Senior 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.

The Chair closed the meeting at 3.25 p.m.