

## Minutes

### Planning Committee

Venue:	Council Chamber
Date:	11 May 2016
Time:	2.00 pm
Present:	Councillors Cattanach (Chair), D Buckle (substitute for R Musgrave), Mrs E Casling, I Chilvers, J Deans, Mrs D White (substitute for D Mackay), P Welch, B Marshall, and C Pearson.
Apologies for Absence:	Councillors R Musgrave and D Mackay.
Officers Present:	Richard Sunter - Lead Officer, Planning, Ruth Hardingham – Principal Planning Officer, Nigel Gould – Planning Officer, Keith Thompson – Senior Planning Officer, Yvonne Naylor – Principal Planning Officer, Kelly Hamblin – Senior Solicitor, Janine Jenkinson – Democratic Services Officer, Gary Lumb - North Yorkshire County Council (NYCC) Highways, Vicki Hennigan - NYCC Highways and John Hodgson – NYCC Highways.

Public: 36

Press: 1

#### **68. DISCLOSURES OF INTEREST**

All Councillors declared that they had received correspondence in relation to application 2014/1125/COU – Land Adjacent Brickyard Farm, Selby Road, Camblesforth.

All Councillors declared that they had received correspondence in relation to application 2015/1405/OUT – Selby Road, Camblesforth, Selby.

Councillor D White declared that she had received correspondence in relation to application 2016/0060/OUT – Gravehill Lane, Whitley.

## **69. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE**

The Chair informed the Committee that applications with public speakers would be brought forward and considered ahead of other agenda items.

## **70. 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.**

## **71. PLANNING APPLICATIONS RECEIVED**

- 71.1      Application:      2014/1125/COU**  
**Location:        Land Adjacent Brickyard Farm**  
**Selby Road, Camblesforth, Selby**  
**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.

Members were informed that the application was a resubmission of 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 raised material planning considerations.

The application had been considered at Planning Committee on 9 February 2016, when members had resolved to defer the application to allow North Yorkshire County Council (NYCC) Highways to be present at a future Committee meeting to provide further details in relation to highway access, visibility, safety and traffic.

Subsequently on 1 March 2016, the applicant had lodged an appeal for non-determination of the application and as such, a Planning Inspector appointed by the Secretary of State would now determine the application. The Council was now required to provide a Statement of Case detailing the decision the Committee would have been minded to make.

The Principal Planning Officer reported that having had regard to the relevant policies in both the Development Plan and the National Planning Policy Framework (NPPF), and subject to conditions, there would be no significant harms which would render the

proposal unsustainable. On balance, it was considered that the proposal would meet the tests of bringing forward sustainable economic growth through local employment opportunities and potential visitor expenditure in local services/facilities. The Committee was therefore recommended to be minded to approve the application.

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

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

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

Melissa Madge, the applicant's Agent spoke in support of the application.

Members expressed concerns in relation to access, highways safety, inadequate visibility splays, and the speed of traffic.

A proposal to refuse the application was made, on the grounds that it would result in an increase in use of the existing field access onto the fast flowing, heavily trafficked A104, and would have a detrimental impact on highway safety contrary to Policy T2 (1) of the Selby District Council Local Plan, due to vehicles travelling along the north bound carriageway and accessing the site, causing a hazard to the free flow of traffic. The proposal was seconded.

**RESOLVED:**

**The Planning Committee was minded to REFUSE the application, on the grounds the proposal would result in a material increase in use of the existing field access onto the fast flowing and heavily trafficked A1041, which was subject to the national speed limit, increased movement of traffic, including service traffic, detrimental impact on highway safety contrary to Policy T2 (1) of the Selby District Council Local Plan.**

**71.2      Application: 2015/1405/OUT  
             Location: Selby Road, Camblesforth, Selby  
             Proposal: Outline application including  
                         access for the erection of up to 45  
                         dwellings.**

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 Committee as over 10 representations of objection had been received contrary to the officer's recommendation.

Members were advised that the proposal could be designed so that it would achieve an appropriate layout, landscaping, scale and appearance at reserved matters stage so as to respect the character of the local area, and not significantly detract from highway safety and residential amenity. The application was also considered to be

acceptable in respect of the impact on flooding, drainage and climate change, protected species, contaminated land and affordable housing.

The Principal Planning Officer reported that on balance, the application would be acceptable when assessed against the policies in the NPPF, the Selby District Local Plan and the Core Strategy.

It was on this basis the Committee was recommended to approve the application.

Shelia Scaling, resident, spoke in objection to the application.

Alistair Flatman, the applicant's Agent spoke in support of the application.

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

**RESOLVED:**

**To APPROVE the application, subject to delegation being given to officers to complete the Section 106 Agreement to secure 40% on-site affordable housing provision, on-site Recreational Open Space and a waste and recycling contribution and subject to the conditions detailed in section 2.22 of the report.**

***Note – Councillor J Deans left the Chamber at this point and was not present for consideration of the following item.***

71.3	<b>Application:</b>	<b>2016/0204/FUL</b>
	<b>Location:</b>	<b>Wheatsheaf Inn 87 Main Road Hambleton, Selby</b>
	<b>Proposal:</b>	<b>Section 73 application to vary condition 11 (vehicle access drawing) &amp; 16 (plans) of planning permission 2015/0322/FUL for the proposed demolition of public house and redevelopment to create 8 No dwellings, including roads, sewers, external works and landscape.</b>

The Senior Planning Officer introduced the report and explained that 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, namely SP9 Affordable Housing, there were material considerations which would justify approving the application.

Members were informed that the proposal sought to vary conditions 11 and 16 of the full planning permission (2015/0322/FUL). The changes proposed as part of the Section 73 application related to altering the vehicle access width to 4.5m from 5.5m, moving plot 1 dwelling 600mm west to increase separation distance with the neighbour

at Walmsley plots 6 and 7 house design ground floor layout and roof accommodation provided, and plots 7 and 8 transposed.

The Senior Planning Officer reported that the principle of development for housing on the site had been firmly established under the previous, extant, full planning permission.

In addition, the Senior Planning Officer advised that given that the development had commenced, it was considered that the extent 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 fall-back position was considered to be of sufficient weight to outweigh the policy requirement for a commuted sum.

Having had regard to all relevant matters, the Senior Planning Officer advised that the proposal was, on balance, acceptable when assessed against all relevant local and national policies.

Mr Miles, resident, spoke in objection to the application.

Tom Pilcher, the applicant's Agent spoke in support of the application.

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

**RESOLVED:**

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

<b>71.4</b>	<b>Application:</b>	<b>2015/0969/OUT</b>
	<b>Location:</b>	<b>Manor Garth Kellington</b>
	<b>Proposal:</b>	<b>Outline application with all matters reserved for residential development on land to the east.</b>

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.

The Planning Officer explained that the application would be located outside, but adjacent to the defined development limits of Kellington. The proposal would therefore be contrary to Policy SP2A (c) of the Core Strategy. However, members were advised 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.

The Planning Officer advised that the proposal was considered, on balance, to be acceptable and members were recommended to approve the application.

**Note – Councillor J Deans returned to the Chamber during consideration of this item. He took no part in the discussion or vote of the application.**

Matthew Mortonson, the applicant's Agent spoke in support of the application.

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

**RESOLVED:**

**Officers be given delegated authority to APPROVE the application, subject to completion of the Section 106 Agreement to secure 40% on-site affordable housing provision and a waste and recycling contribution; no objections from the Strategic Flood Authority; any conditions received from the Strategic Flood Authority; and the conditions detailed in section 3 of the report.**

**71.5      Application:      2016/0060/OUT  
                 Location:      Gravelhill Lane,Whitley  
                 Proposal:      Outline consent for 8 No Affordable Housing Units.**

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 as 10 letters of objection had been received on the application.

Members were advised that the site was situated within the Green Belt and sited immediately adjacent to the development limits of Whitley. The residential development of the site for 100% affordable housing units was considered to constitute appropriate development in the Green Belt based on the evidence of housing need and in the context of Policies SP2, SP3 and SP10 of the Core Strategy and advice contained within the NPPF.

A proposal to approve the application in-line with the Principal Planning Officer's recommendation was moved and seconded.

An amendment to refuse the application was proposed and seconded, on the grounds that the need for affordable housing in the settlement of Whitley had not been demonstrated and any provision could be met in the Designed Service Village of Eggborough linked to Whitley under SP2 of the Core Strategy; and the application was unacceptable development and represented an encroachment into the Green Belt.

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

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

**RESOLVED:**

**To APPROVE the application, subject to conditions detailed in section 2.18 of the report and completion of a Section 106 on approach to the delivery of the Affordable Housing and a Waste and Recycling Contribution.**

**71.6            Application:        2015/1216/FUL  
                  Location:            Lynwade  
                                 Church Lane  
                                 Appleton Roebuck  
                  Proposal:            Section 73 application for the variation of  
                                 condition 6 (drawings) of approval 2014/1262/FUL  
                                 for the erection of a new bungalow and garage  
                                 following demolition of existing bungalow and  
                                 garage.**

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

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 6 (approved plans/drawings) of the original permission (2014/1262/FUL). The changes proposed as part of the Section 73 application related to alterations to create a larger footprint for the garage which served the dwelling, showed the chimney as constructed and the veluxes on the roof as implemented. The scheme had commenced on site and the bungalow and garage had been constructed, the garage on the frontage was to be removed in full.

Members 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 acceptable in respect of its design, impact on residential amenity and the character of the area.

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

**RESOLVED:**

**To APPROVE the application, subject to the conditions detailed in section 2.18 of the report, with the exception of condition 5 which was not now required.**

**71.6**            **Application:**    **2015/1344/FUL**  
**Location:**       **Papyrus Works, Papyrus Villas, Newton Kyme**  
**Proposal:**       **Section 73 variation of condition 33 (drawings) of approval 2012/1053/FUL The demolition of the former Papyrus works, the development of 128 dwellings and 9 employment units with associated landscaping and public open space, the provision of a footpath/cycle route (Sustrans Link) and associated works to the Grade II Listed viaduct.**

The Principal Planning Officer introduced the application and explained that the application had been brought before the Planning Committee as the original application for planning permission had been determined by the Council's Planning Committee.

Members were advised that under the Section 73 application, the applicant sought to amend the approved plans list as it related to the works to the viaduct and the railing that was to be added to the top of the viaduct to protect pedestrians and cyclists using the crossing. As a result of the submission there was a need to amend the approved plans list via the new consent, progress a Deed of Variation for the S106 to ensure the obligations associated with 2012/1053/FUL were carried forward and to issue a new Decision Notice which would then represent the consent for the site.

The Committee was advised that having assessed the proposal against the relevant policies, the application was considered acceptable.

The Principal 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 and a Deed of Variation to the noted S106 on consent reference 2012/1053/FUL.**

**71.7**            **Application:**    **2015/1345/FUL**  
**Location:**       **Papyrus Works, Papyrus Villas Newton Kyme**  
**Proposal:**       **Section 19 application for the variation of conditions 2 (Heritage Assessment) and 3 (Drawings) of approval 2012/1050/LBC Listed Building Consent for repair and refurbishment works to Newton Kyme Viaduct to facilitate its use as a proposed new pedestrian route, in connection with full planning permission**

The Principal Planning Officer introduced the application and explained that the application had been brought before the Planning Committee as the original application for planning permission had been determined by the Council's Planning Committee.



The principle of residential development on the site had already been established through the approval of 2012/1053/FUL and works to the viaduct were consented under 2012/1050/LBC.

Under the application, the applicant sought to amend the approved plans list and details of the Heritage Assessment as it related to the works to the viaduct and the railing that was to be added to the top of the viaduct to protect pedestrians and cyclist using the crossing.

As a result of the submission there was a need to amend the approved plans list via the new consent, progress a Deed of Modification for the S106 to ensure the S106 obligations associated with 2012/1053/FUL and 2012/1050/LBC were carried forward and issue a new Decision Notice which would then represent the consent for the site.

Members were advised that having assessed the proposal against the relevant policies the proposal was considered acceptable.

The Principal 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 and a Deed of Modification/ Variation to the noted S106 on the consent reference 2012/1053/FUL and 2012/1050/LBC.**

<b>71.8</b>	<b>Application:</b>	<b>2016/0012/FUL</b>
	<b>Location:</b>	<b>Papyrus Works, Papyrus Villas, Newton Kyme</b>
	<b>Proposal:</b>	<b>Section 73 variation of condition 5 (landscaping) of approval 2012/1053/FUL for the demolition of the former Papyrus works, the development of 128 dwellings and 9 employment units with associated landscaping and public open space, the provision of a footpath/cycle route (Sustrans Link) and associated works to the Grade II Listed viaduct.</b>

The Principal Planning Officer introduced the application and explained that the application had been brought before the Planning Committee as the original application for planning permission had been determined by the Council's Planning Committee.

The principle of residential development on the site had already been established through the approval of 2012/1053/FUL.

Under the S73 application, the applicant was seeking to amend the approved plan for landscaping under Condition 5 which relates to landscaping.

Members were advised that having assessed the proposals against the relevant policies the proposals were considered acceptable.

The Principal 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 and a Deed of Modification / Variation to the noted S106 on consent reference 2012/1053/FUL.**

**71.10      Application:      2015/0995/FUL**  
**Location:      Lumby Court**  
**Butts Lane**  
**Lumby**  
**Proposal:      Proposed replacement of existing double garage**  
**with a 4 bedroom detached dwelling**

The Planning Officer introduced the report 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 recommended for approval contrary to the requirements of the Development Plan. In particular, the proposal did not fully accord with Policies SP3 and SP4 of the Core Strategy.

Members were informed that the response from the Council's Contaminated Land Consultant had not been received, therefore a revised recommendation was provided in the update note.

The 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, it was considered that the proposed scheme did not constitute inappropriate development within the Green Belt.

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

**RESOLVED:**

**Officers be given delegated authority to APPROVE the application, subject to no objections from the Council's Contaminated Land Consultant, conditions detailed in section 3.0 of the report, any conditions recommended by the Council's Contaminated Land Consultant, and the completion of a legal agreement to secure a contribution towards affordable housing.**

The Chair closed the meeting at 4.43 p.m.