

Minutes

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 8 November 2017
Time:	2.00pm
Present:	Councillors J Cattnach (Chair), D Buckle (for C Pearson), I Chilvers, J Deans, R Packham, D Peart, I Reynolds and P Welch.
Officers present:	Gill Marshall, Solicitor to the Council; Ruth Hardingham, Planning Development Manager; Diane Wilson, Planning Officer (for minute items 34.6 and 34.7); Keith Thompson, Senior Planning Officer (for minute items 34.2 and 34.5); Paul Edwards, Principal Planning Officer (for minute item 34.9), Andrew Martin, Principal Planning Officer (for minute items 34.8 and 36), Jenny Tyreman, Senior Planning Officer (for minute item 34.3), Simon Eades, Senior Planning Officer (for minute items 34.1 and 34.4), Phil Crabtree, Interim Head of Planning (for minute item 36) and Victoria Foreman, Democratic Services Officer
Public:	23
Press:	1

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E Casling and C Pearson. Councillor D Buckle was in attendance as a substitute for Councillor C Pearson.

30. DISCLOSURES OF INTEREST

Councillor J Deans declared a non-pecuniary interest in relation to applications 2017/0229/FUL – Oakwood Lodges, Oakwood Park, Market Weighton Road, 2017/0528/FUL – Birchwood Lodge, Market Weighton Road and 2017/0665/FUL – Fair View, York Road, Cliffe as he had received representations from objectors on each application.

Councillor I Reynolds declared a non-pecuniary interest in relation to application 2017/0530/FUL – Land to the West of 2 North View, Moor Lane, Catterton as he knew the applicant but had not spoken to him about the application.

All Committee members declared a non-pecuniary interest in relation to applications 2016/0673/FUL and 2016/0675/LBC – Windmill, Old Road, Appleton Roebuck, as they had received telephone calls regarding the applications, but had not entered in to debate about the schemes.

31. CHAIR’S ADDRESS TO THE PLANNING COMMITTEE

The Chairman informed the Committee that applications 2016/0673/FUL and 2016/0675/LBC – Windmill, Old Road, Appleton Roebuck had been withdrawn and would not be considered at the meeting. The Planning Development Manager confirmed that the applications were not in the green belt as stated in the report, and as such needed to be reassessed before consideration by the Committee.

The Committee noted that the order of the agenda had been adjusted to reflect the number of public speakers registered in relation to each application. The order of business would therefore be as follows:

1. 2017/0614/COU Fields Farm, Butts Lane, Lumby, Leeds
2. 2017/0443/REM – Land Adj to Station Mews, Church Fenton, Selby
3. 2017/0528/FUL – Birchwood Lodge, Market Weighton Road, Barlby, Selby
4. 2017/0665/FUL – Fair View, York Road, Cliffe, Selby
5. 2017/0229/FUL – Oakwood Lodges, Oakwood Park, Market Weighton Road, North Duffield, Selby
6. 2017/0804/FUL – Maspin Grange, Hillam Common Lanem Hillam, Leeds
7. 2017/0816/FULM – Land At Byram Park Road, Byram, Knottingley
8. 2017/0235/FUL – Willowdene, Hull Road, Hemingbrough, Selby

Lastly, the Chairman advised the Committee that an update note had been circulated by officers.

32. SUSPENSION OF COUNCIL PROCEDURE RULES

The Committee considered the suspension of Council Procedure Rules 15.1 and 15.6 (a) to allow for a more effective discussion when considering planning applications.

RESOLVED:

To suspend Council Procedure Rules 15.1 and 15.6 (a) for the duration of the meeting.

33. MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 11 October 2017.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 11 October 2017 for signing by the Chairman.

34. PLANNING APPLICATIONS RECEIVED

The Committee considered the following planning applications:

34.1 Application: 2017/0614/COU

Location: Fields Farm, Butts Lane, Lumby, Leeds

Proposal: Proposed change of use of agricultural building to child daycare (D1 Use Class) with external alternation to windows and doors

The Senior Planning Officer presented the application that had been brought before the Committee because there were 10 representations contrary to the officer recommendation.

The Committee was informed that the application was for a change of use of an agricultural building to child daycare (D1 Use Class) with external alterations to windows and doors.

The Committee noted that the application was recommended for refusal because the scheme was not located within the development limits of the village or on an existing school or village site, and was not in a sustainable location; it was not easily or safely accessible.

In reference to the officer update note, the Planning Officer explained that there were minor alterations to the summary and paragraph 2.6 of the report, but these did not add any further issues than those already raised.

Ray Goodman, representing the objectors, spoke in objection to the application.

Kathryn Ward representing South Milford Parish Council spoke in objection to the application.

Councillor D Hutchinson spoke in objection to the application as Ward Member.

Craig Smith, agent, spoke in support of the application.

It was proposed and seconded that the application be refused.

RESOLVED:

To REFUSE the application for the reasons set out in paragraph 6.1 of the report.

34.2 Application: 2017/0443/REM

Location: Land Adj to Station Mews, Church Fenton, Selby

Proposal: Reserved matters application relating to appearance, landscaping, layout and scale of 5 No dwellings of approval 2016/0505/OUT outline application for the erection of 5 new dwelling houses with access (all other matters reserved)

The Senior Planning Officer presented the application that had been brought before the Committee due to there being more than 10 objections to the proposal.

The Committee was informed that the application was for reserved matters relating to appearance, landscaping, layout and scale of 5 No dwellings of approval 2016/0505/OUT outline application for the erection of 5 new dwelling houses with access (all other matters reserved).

In reference to the officer update note, the Senior Planning Officer explained that the agent had agreed a greater separation distance of 12.5m between no 17. Fieldside Court and the dwelling at plot 5. Revised plans had been submitted that morning, and it was recommended that the revised plans be re-consulted on for 14 days to allow neighbours to review them.

The Committee felt that the application should not be considered until the plans had been re-consulted on and circulated to all relevant parties, including the Planning Committee.

It was proposed and seconded that the application be deferred.

RESOLVED:

To DEFER the application for consideration at a future meeting of the Planning Committee following re-consultation of the revised plans.

34.3 Application: 2017/0528/FUL

Location: Birchwood Lodge, Market Weighton Road, Barlby, Selby

Proposal: Proposed construction of hangar/storage building

The Senior Planning Officer presented the application that had been brought before the Committee as it had been called in by a District Councillor.

In reference to the officer update note, the Senior Planning Officer explained that since the Committee report had been written, Cliffe Parish Council had made representations on the application. The applicant had also responded to the comments of the neighbouring properties and Parish Council.

Michael McDonald, representing the objectors, spoke in objection to the application.

Councillor K Arthur spoke in objection to the application as Ward Member.

The Committee debated the application and raised concerns relating to the location of the hangar, its height and massing and the impact it could have on neighbouring properties and the surrounding area. Some Committee Members also felt that it was an incursion into the open countryside.

An amendment was proposed and seconded that the application be refused, contrary to the officer's recommendation of approval. The amendment was supported by the Committee.

It was proposed and seconded that the application be refused.

RESOLVED:

To REFUSE the application for the following reasons:

- **Intrusion into the open countryside;**
- **Overdevelopment of the rural setting;**
- **Detrimental impact on neighbouring residential amenity.**

34.4 Application: 2017/0665/FUL

Location: Fair View, York Road, Cliffe, Selby

Proposal: Proposed erection of detached single storey dwelling

The Senior Planning Officer presented the application that had been brought before the Committee at the request of the Ward Member.

The Committee was informed that the item before them was for the proposed erection of a detached single storey dwelling.

In reference to the officer update note, the Senior Planning Officer explained that Cliffe Parish Council had made some additional comments on the application since the report had been published.

In response to a query regarding the built form of the proposal, the Senior Planning Officer explained it was considered that the scheme introduced an alien back-land form of development which was out of keeping with the character and form of that part of the village.

Councillor K Arthur spoke in support of the application as Ward Member.

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

The Committee noted that counsel's advice had been sought regarding interpretation of the Core Strategy Policy SP4, and that other permissions granted in the area which had been cited by some Members had been made under a different policy context.

The Committee were reminded that in order to approve an application that was contrary to the Development Plan, material considerations were required. It was the opinion of officers that there were no material considerations to support the approval of this application.

An amendment was proposed and seconded that the application be deferred in order for sufficient reasons for approval to be given. The amendment was not supported by the Committee.

It was proposed and seconded that the application be refused.

RESOLVED:

To REFUSE the application for the reasons set out at paragraph 6.0 of the report.

34.5 Application: 2017/0229/FUL

Location: Oakwood Lodges, Oakwood Park, Market Weighton Road, North Duffield, Selby

Proposal: Section 73 to vary/remove conditions 05 (access), 10 (access) and 17 (access) of approval 2006/1531/FUL for the erection of fourteen holiday cabins, community building and associated works

The Senior Planning Officer presented the application that had been brought before the Committee as it had been called in by a District Councillor.

The Committee was informed that the item before them was a Section 73 application to remove conditions attached to a planning approval for application 2006/1531/FUL. The Committee was advised that the proposal sought to remove conditions that related to access to the site including conditions 5, 10 and 17.

The application was deferred from the October meeting as the Committee expressed a concern that without the existing conditions as a point of reference, it was difficult to take a decision on the matter. Members had felt that they needed a clear and concise set of amended decisions.

It was noted by the Committee that Appendix A to the report was the full 2006/1531/FUL notice of decision for reference for Members, and could be used to refer to the recommended conditions in the report. Three new highways conditions had been recommended, namely Conditions 17, 18 and 19, and a new plans condition was noted as Condition 2.

In reference to the officer update note, the Senior Planning Officer explained that Condition 13 had been recommended to include a timescale for implementation of the new highway works.

Fletcher Eyres, representing objectors, spoke in objection to the application.

The Committee confirmed that their previous concerns regarding the clarity of the conditions had been allayed.

It was proposed and seconded that the application be approved.

RESOLVED:

To APPROVE the application subject to the conditions set out in paragraph 7.0 of the report and officer update note.

34.6 Application: 2017/0530/FUL

Location: Land To The West Of 2 North View, Moor Lane, Catterton, Tadcaster

Proposal: Erection of a detached bungalow with integral garage and creation of a vehicular access

The Planning Officer presented the application that had been brought before the Committee due to there being 13 letters of support against the Officer recommendation. The Committee noted that since publication of the Committee report, it had come to light that one of the letters in support of the application was fraudulent.

The Committee was informed that the application before them was for the erection of a detached bungalow with integral garage and creation of vehicular access.

The Planning Officer explained that the application was unacceptable in view of the character of the area, and informed the Committee that Catterton was a secondary village, and as such, the lowest category in the settlement hierarchy in terms of sustainability.

Melissa Madge, agent, spoke in support of the application.

The Committee felt that the application was not tenable and contrary to local and national planning policy. It was proposed and seconded that the application be refused.

RESOLVED:

To REFUSE the application for the reasons as set out in paragraph 5.0 of the report.

34.7 Application: 2017/0804/FUL

Location: Maspin Grange, Hillam Common Lane, Hillam, Leeds

Proposal: Proposed conversion and alterations to existing barn and piggery building to create two new dwellings and introduction of two storey side extension to existing farmhouse

The Planning Officer presented the application that had been brought before the Committee as officers considered that although the proposal was contrary to Criterion 1 of Policy H12 of the Local Plan, there were material considerations which would justify approving the application.

The Committee was informed that the application before them was for the proposed conversion and alterations to existing barn and piggery building to

create two new dwellings and introduction of a two storey side extension to existing farmhouse.

The Planning Officer explained that the proposal would bring back into use redundant farm buildings and that it was considered that the proposals were acceptable in regards to the principle of development for this location.

It was proposed and seconded that the application be approved.

RESOLVED:

To APPROVE the application subject to the conditions set out in paragraph 6.0 of the report.

34.8 Application: 2017/0816/FULM

Location: Land At Byram Park Road, Byram, Knottingley

Proposal: Proposed construction of 13 affordable rent houses with associated highways and landscaping

The Principal Planning Officer presented the application that had been brought before the Committee because it had been submitted by Selby District Council.

The Committee was informed that the application before them was for the proposed construction of 13 affordable rent houses with associated highways and landscaping.

In response to a query concerning encroachment onto the site by neighbouring properties, the Principal Planning Officer confirmed that resolutions to these issues were being pursued separately.

In reference to the officer update note, the Principal Planning Officer explained that since the Committee report had been written, the final set of amended plans and a series of conditions recommended by the local highway authority had been received. These additional conditions were set out in full in the update note.

The Committee expressed their support for the proposals.

It was proposed and seconded that the application be approved.

RESOLVED:

To APPROVE the application subject to:

- i. no representations raising new material planning considerations within the remainder of the re-publicity period;**
- ii. a unilateral undertaking to secure:**
 - a) the delivery of affordable housing;**
 - b) a financial contribution of £65 per dwelling towards waste and recycling; and**

- iii. **the conditions set out in paragraph 7.0 of the report and officer update note.**

34.9 Application: 2017/0235/FUL

Location: Willowdene, Hull Road, Hemingbrough, Selby

Proposal: Proposed erection of 2 no. 4 bed detached dwellings and 1 no. 5 bed detached dwelling with integral garaging

The Principal Planning Officer presented the application that had been brought before the Committee because the application was a departure from the development plan.

The Committee was informed that the application before them was for the proposed construction of three detached dwellings on land adjacent to the Hemingbrough settlement development limits.

In response to a query concerning development outside of development limits, the Principal Planning Officer explained that the proposed site was already enclosed as it was fenced off and part of garden land; so there was no loss of agricultural land.

The Principal Planning Officer explained that since the Committee report had been written the temporary Tree Protection Order (TPO) had been confirmed as such the willow, oak and walnut trees were formally protected.

It was proposed and seconded that the application be approved.

RESOLVED:

To APPROVE the application subject to the conditions set out in paragraph 7.0 of the report subject to the minor variations to the conditions set out.

35. Exclusion of Press and Public

The Committee were asked to consider if they wished to exclude the press and public for the following item of business.

RESOLVED:

That, in accordance with Section 100(A) (4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and Public during discussion of the following item as there will be disclosure of exempt information as defined in paragraph 3 of Schedule 12(A) if the Act (information relating to the financial or business affairs of any particular person, including the authority holding that information).

Private Session

36. Member Briefing – Pre Application Presentation

The Committee received the pre-application presentation in relation to a potentially significant development which would involve a new media centre and business park. Members' thoughts on the underlying principles were sought.

Members noted the advice from the Council's Monitoring Officer that informal pre-application discussions such as these were common practice for forthcoming developments and undertaken without prejudice to the rights of the Committee to consider the matter if and when it was presented for a decision. These particular discussions had been taken in private session due to the inclusion of information in the report that, for the moment, was commercially sensitive.

Following the presentation, the Committee discussed the proposals in detail. Members emphasised the importance of ensuring that infrastructure issues such as road capacity and maintenance, bus and train provision and general transport planning were given due and serious consideration.

Members felt strongly that the road infrastructure around the area identified for the development, and indeed the wider area, needed significant investment if such a proposal was to come forward and be successful.

Meaningful discussions and partnership working between the applicants, their agents, Selby District Council, NYCC Highways and other agencies and organisations would be essential in order for the proposals to be viable and sustainable.

No pre-application decisions were made at the session and the Committee Members reserved their rights to make any decision as they saw fit in the future, should the proposals be submitted formally as an application to the Council.

RESOLVED:

To consider the contents of the report and the applicant's further presentation on 8 November 2017, and offer preliminary thoughts on the draft proposals as part of an ongoing pre-application process.

The meeting closed at 5.45pm.