

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 12 October 2016
Time:	2.00 pm
Present:	Councillors Cattanach (Chair), D Peart, Mrs L Casling, I Chilvers, D Buckle (substitute for J Deans), D Mackay, C Pearson, P Welch and B Marshall.
Apologies for Absence:	Councillor J Deans
Officers Present:	Kelly Dawson, Senior Solicitor, Ruth Hardingham, Interim Lead Officer (Planning), Fiona Ellwood, Principal Planning Officer, Thomas Webster, Principal Planning Officer, Keith Thompson, Senior Planning Officer, Calum Rowley, Senior Planning Officer and Janine Jenkinson, Democratic Services Officer.
Public:	16
Press:	1

27. DISCLOSURES OF INTEREST

There were no declarations of interest.

28. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that he had amended the running order of the agenda to consider the items with public speakers ahead of the other applications.

29. 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.

scheme. In addition the application did not change the scheme as consented under 2015/0684/FUL.

The Senior Planning Officer reported that the scope of the changes were considered to be acceptable in design terms and overall the application would retain the character of the buildings, and reduce the number of windows / glazed areas, veluxes and openings, therefore the Committee was recommended to approve the application.

Mr Mitcham, spoke in objection to the application.

Mrs Garnham, Parish Councillor, spoke in objection to the application.

Mr Dodds, the applicant's Agent spoke in support of the application.

Some members raised concern regarding the cumulative impact of the development in the location.

The Senior 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.

31.2 Application: 2016/1023/FUL
Location: Parking court behind 18-34 Westfield
Road, Eggborough.
Proposal: Section 73 application to remove/vary
condition 13 (HGV) of approval
2015/1240/FUL 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.

The Senior Planning Officer introduced the application and referred the Committee to the information provided in the Update Note. The Update Note reported an error in paragraph 2.9.2 and condition 13 of the report; for clarity the full wording of the proposed condition was set out.

Members were informed that the application had been brought before the Planning Committee due to the applicant being Selby District Council. The application proposed a variation of condition 13 of planning approval 2015/1240/FUL. The revised condition would increase the weight limit of HGVs to facilitate the practical and safe removal / delivery of materials for the site to enable a safer and more realistic operating strategy.

The Senior Planning Officer advised members that a North Yorkshire County Council Highways Officer had assessed the representations received following notification of the

original application, and suggested condition 13 be amended as outlined in the Officer Update Note.

The Senior Planning Officer advised that the proposed variation of condition 13 was considered to be acceptable in respect of the impact on highway safety and residential amenity. Members were recommended to approve the application.

Mr John McCartney spoke in objection to the application.

Colin White, Parish Councillor spoke in objection to the application.

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

A discussion took place and members raised concerns in relation to highway safety and detrimental impact on neighbour amenity.

In light of the concerns raised, it was proposed that the following restrictions also be attached to any permission granted:

- *With the exception of internal works, the building works required to carry out the development allowed by this permission must only be carried out within the following times:*

07:30 - 18:00 Monday to Friday

8:00 - 13:00 Saturdays

No working on Sundays or Public Holidays

- *The transportation of materials to/from the site by HGVs over 7.5 tonnes shall only be carried out within the following times:*

09:30 - 15:00 Monday to Friday

09:30 - 12:00 (noon) Saturdays

No deliveries shall take place on Sundays or Public Holidays

The proposal was moved and seconded.

RESOLVED:

To APPROVE the application subject to the restrictions outlined above and delegation given to Officers to agree suitably worded conditions, and the conditions detailed in section 2.10 of the report.

- *The transportation of materials to/from the site by HGVs over 7.5 tonnes shall only be carried out within the following times:*

09:30 - 15:00 Monday to Friday

09:30 - 12:00 (noon) Saturdays

No deliveries shall take place on Sundays or Public Holidays

The proposal was moved and seconded.

RESOLVED:

To APPROVE the application subject to the restrictions outlined above and delegation to Officers to agree suitably worded conditions, and the conditions detailed in section 2.10 of the report.

31.4 Application: 2016/0910/FUL
Location: Proposed 3 bedroom dwelling and 2 no. 1 bedroom flats
Proposal: Land Adjacent to 26 Westfield Crescent, Tadcaster.

The Senior Planning Officer introduced the application and referred the Committee to the information provided in the Update Note. The Update Note outlined two further representations that had been received and reported that the Agent had provided an amended site plan which indicated a gate access to a neighbour's garden.

The application had been brought before the Planning Committee due to being recommended for approval contrary to Policy SP9 and more than 10 objections being received.

Members were advised that the proposal would be located within the defined settlement limits of Tadcaster, and therefore in accordance with Policy SP2A of the Core Strategy. The scale of the development was considered acceptable on garden land and would thereby accord with Policy SP4A.

The Senior Planning Officer advised that on balance, the proposal would be acceptable when assessed against the policies in the National Planning Policy Framework (NPPF), the Selby District Local Plan and the Core Strategy and members were recommended to approve the application.

Mr Baxter, spoke in objection to the application.

Some members raised concerns in relation to the width of a proposed footpath along the northern boundary of 26 Westfield Crescent, loss of amenity for neighbouring properties, overdevelopment, traffic, car parking provision and the proposal being out of character with neighbouring properties.

The Planning Officer's recommendation to approve the application was proposed and seconded. An amendment to refuse the application on the grounds the proposal was

contrary to SP2A and SP4A of the Core Strategy was proposed. The amendment was not seconded and therefore fell accordingly.

The Planning Officer's recommendation to approve the application was put to a vote.

RESOLVED:

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

31.5

Application: 2015/0202/FUL
Location: Low Farm Road
Bolton Percy
Tadcaster
Proposal: Proposed erection of 2 No detached houses with associated garages.

The Principal Planning Officer introduced the application and referred the Committee to the information provided in the Update Note. The Update Note outlined additional consultation responses received from Bolton Percy Parish Council and the Drainage Board and the applicant's response to these representations. Further to these comments, the Principal Planning Officer recommended that an additional condition, as set out in the Update Note be attached to any approval granted.

Members were informed that the application had been brought before the Planning Committee due to the number of representations received contrary to the Officer's recommendation for approval.

The Principal Planning Officer reported that the application had been brought before the Planning Committee in the context of the West Berkshire Case Court of Appeal judgement. Prior to the judgement, the Council had been able to seek a contribution for Affordable Housing under SP9 of the Core Strategy and the Affordable Housing Supplementary Planning Document (SPD) from development under ten residential units. Following the Court judgement, the proposal was contrary to the provisions of the Development Plan. Members were advised that in the context of the Court of Appeal decision, it was considered that the judgement was a material consideration of substantial weight which outweighed the policy requirement to secure an affordable housing contribution.

The Principal Planning Officer advised that having had regard to the Development Plan, all other relevant local and national policy, and all other material planning considerations, it was considered that the application was acceptable and members were therefore recommended to approve the application.

Mr Howlett, 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 the conditions set out in section 3.0 of the report and the additional condition set out in the Update Note.

31.6

**Application: 2015/0580/EIA
Location: Staynor Hall, Abbotts Road, Selby
Proposal: Reserved Matters application for the erection of No.44 dwellings, community facilities and retail units following outline approval 8/19/1011C/PA (C0/2002/1185).**

The Principal Planning Officer introduced the application and referred the Committee to the information provided in the Update Note. The Update Note outlined an amendment to paragraph 1.2.4 of the report, amended conditions and additional conditions in relation to disabled access, the Community Hall, a Community Centre Car Park, Affordable Housing, retention of retail units, artificial lighting and Community Car Park Disability Bays to be attached to any approved application.

Members were informed that the application had been brought before the Planning Committee because an Environmental Impact Assessment (EIA) development and a Supplementary Environmental Statement had been submitted as part of the application.

The Principal Planning Officer advised members that the proposal was considered to be reflective of the character and appearance of the area and would integrate with the parcels of land already consented to. The application was also considered to be acceptable when assessed against the policies in the National Planning Policy Framework, the Selby District Local Plan and the Core Strategy; members were therefore recommended to approve the application.

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

RESOLVED:

To APPROVE the application, subject to the conditions detailed in section 3.0 of the report, and the amended conditions and additional conditions detailed in the Update Note.

The Chair closed the meeting at 3.55 p.m.