

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 7 December 2016
Time:	2.00 pm
Present:	Councillors Cattanach (Chair), D Peart (Vice Chair) Mrs L Casling, I Chilvers, J Deans, B Marshall, D Mackay, C Pearson, and P Welch.
Apologies for Absence:	None.
Officers Present:	Kelly Dawson, Senior Solicitor, Jonathan Carr, Lead Officer – Planning, Calum Rowley, Senior Planning Officer, Tom Webster, Principal Planning Officer, Simon Eades, Senior Planning Officer and Janine Jenkinson, Democratic Services Officer.
Public:	12
Press:	1

38. DISCLOSURES OF INTEREST

There were no disclosures of interest.

39. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair reported that agenda item 6.3 – 2016/0515/OUT – Land adjacent to Southlands, Broach Lane, Kellington, had been withdrawn from the agenda prior to the meeting by the applicant.

In addition, the Chair informed members that agenda item 6.2 - Ings View Farm, Main Street, Thorganby would be audio recorded.

40. 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.

41. MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 9 November 2016.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 9 November 2016, as a correct record, and they be signed by the Chair.

42. PLANNING APPLICATIONS RECEIVED

42.1

Application: 2015/1413/OUT

Location: 37 Low Street

Sherburn In Elmet

Proposal: Outline application with all matters reserved for the demolition of two dwellings and the erection of seven new dwellings.

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined an additional condition to restrict the permission to seven dwellings and reported that conditions 7, 8, 9 and 10 listed on pages 24–26 of the report had been removed from the proposed list of conditions to be attached to any permission granted.

Members were advised that the application had been brought before the Planning Committee due to the proposal being recommended for approval contrary to Policy SP9 and more than three objections contrary to the Senior Officer's recommendation having been received.

The Committee was advised that the application for residential development on the site should be considered in the context of the presumption in favour of sustainable development and paragraphs 14 and 49 of the National Planning Policy Framework (NPPF), in light of the Council not having a five year housing land supply.

Members were informed that the West Berkshire Court of Appeal decision was a material consideration of substantial weight, which outweighed the policy requirement for a contribution for affordable housing.

The Senior Planning Officer advised the Committee that there would be no adverse impact of granting planning permission that would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole. The proposal was considered acceptable and members were recommended to approve planning permission.

Bryan Sissions, a local resident spoke in objection to the application.

Ward Councillor Bob Packham spoke in objection to the application.

The Senior Planning Officer's recommendation to approve the application was moved and seconded. An amendment to defer a decision on the application to allow members to undertake a site visit was proposed. The amendment was not seconded and fell accordingly.

The proposal to approve the application was voted upon.

RESOLVED:

To APPROVE the application, subject to the conditions set out in section 3.0 of the report with the exception of conditions 7, 8, 9 and 10 and the inclusion of the additional condition set out in the Officer Update Note.

42.2 Application: 2016/0951/FUL
Location: Ings View Farm
Main Street, Thorganby
Proposal: Proposed demolition of existing single
storey outbuildings and erection of two
storey dwelling and double garage in the
Conservation Area.

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined that four additional letters of objection had been received; two of which were from the same person. It was explained that the letters raised concerns in relation to the level of the dwellings, impact on the Conservation Area and neighbouring properties, highways safety, drainage and the impact of additional housing on local amenities. Members were advised that the retrospective application (2016/1184/ADV) referenced in paragraphs 1.3.9 of the report had now been refused.

Members were informed that the application had been brought before the Planning Committee in the context of the Court of Appeal judgement in relation to the West Berkshire case.

The Principal Planning Officer reported that the proposal for residential development on the site should be considered in the context of the presumption in favour of sustainable development and paragraphs 14 and 49 of the NPPF. In assessing the proposal against the three dimensions of sustainable development set out within the NPPF, the

SP2 and SP4 of the Core Strategy in so far as they relate to housing supply carried limited weight in the absence of a five year housing land supply. Members were therefore recommended to approve the application, in light of the changed circumstances regarding the five year housing supply.

The Senior Planning Officer's recommendation that Members be minded to approve the application, subject to conditions, was put to the vote.

RESOLVED:

That the Inspectorate be informed that due to the change in circumstances regarding the lack of a five year housing land supply, members were now minded to APPROVE the application subject to the conditions detailed in section 2.17 of the report.

42.5 Application: 2016/0978/FUL
Location: Land off
Barff Lane, Brayton
Proposal: Proposed residential development of 53 dwellings
including access and associated infrastructure.

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined a consultation response from the Lead Officer – Environmental Health, details of an offer from the Developer in relation to making a financial contribution to the parish council for recreation open space provision, and a recommendation that condition 2 listed in the report be deleted and replaced with the condition set out in the Update Note.

Members were informed that the application had been brought before the Planning Committee due to it being a departure from the Development Plan.

The Senior Planning Officer reported that the proposal would achieve a social role in that it would deliver a level of open market and affordable housing in Brayton, promoting sustainable and balanced communities and would assist the Council in achieving a five year housing land supply. It was explained that the proposal would provide 15% on-site provision of affordable housing which would improve the tenure mix in the location. The Committee was informed that the application also included a Section 106 Agreement which would secure affordable housing provision, on-site recreational open space provision and a waste and recycling contribution. Members were advised that it was considered that there would be no adverse impact of granting planning permission that would significantly and demonstrably outweigh the benefits. The proposal was considered acceptable when assessed against the policies in the NPPF, in particular paragraph 14, the Selby District Local Plan and the Core Strategy. It was on this basis that members' were recommended to grant planning permission.

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

RESOLVED:

To APPROVE the planning application, subject to no objections being received from the NYCC Flood Risk Officer, the inclusion of

suggested conditions delegation being given to Officers to complete the Section 106 Agreement to secure 15% on-site provision for affordable housing, on-site recreational open space and a waste and recycling contribution and subject to the conditions detailed in section 2.20 of the report.

43. Reconsideration of Previously Considered but Still Pending Applications

The Committee was provided with a report that presented applications for reconsideration in light of the fact the Council had conceded in October 2016 that it did not have a five year housing land supply.

The Senior Solicitor explained that the applications detailed in Appendix A of the report had been approved subject to a Section 106 Agreement to secure affordable housing and other contributions. The Senior Solicitor explained that the fact the Council did not have a five year supply of deliverable housing land was a material consideration since the Committee had last considered the applications, and therefore it was necessary to re-consider the applications.

The Senior Solicitor confirmed that in all cases, there had been no material changes, other than the absence of a five year housing land supply. The Committee was informed that Planning Officers had reassessed each of the applications listed in Appendix A of the report and had confirmed they complied with paragraphs 14 and 49 of the NPPF. Members were therefore recommended to approve the applications listed in Appendix A of the report, subject to the completion of a Section 106 Agreement for each application.

RESOLVED:

To approve the applications set out in Appendix A of the report, subject to the completion of a Section 106 to secure appropriate contributions.

The Chair closed the meeting at 3.20 pm.