

## Minutes

### Planning Committee

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Venue:	Council Chamber
Date:	Wednesday 8 February 2017
Time:	2.00pm
Present:	Councillors J Cattnach (Chair), D Peart (Vice-Chair), D Buckle (substitute for I Reynolds), Mrs E Casling, I Chilvers, J Deans, B Marshall, C Pearson and P Welch
Apologies:	Councillor I Reynolds
Officers present:	Kelly Dawson, Senior Solicitor; Jonathan Carr, Interim Lead Officer (Planning); Ruth Hardingham, Interim Deputy Lead Officer (Planning); Calum Rowley, Senior Planning Officer; Louise Milnes, Principal Planning Officer; Thomas Webster, Principal Planning Officer; Yvonne Naylor, Principal Planning Officer; Keith Thompson, Senior Planning Officer; and Daniel Maguire, Democratic Services Officer
Public:	25
Press:	1

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#### **49. DISCLOSURES OF INTEREST**

Councillor Buckle declared a non-pecuniary interest in agenda item 6.2 (minute number 53.2) due to him being a member of the Planning Committee of Sherburn in Elmet Parish Council. He confirmed that he had considered the application previously as a member of the Parish Council Planning Committee, and as such would take no part in the discussion or vote on the item but would remain in the meeting.

All Councillors advised that they had received communications in relation to all applications on the agenda. Councillors were advised to ensure all communications were also forwarded to the relevant Planning Officer.

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

The Chair advised the Committee that a request had been received from a member of the public regarding the representations received by Councillors relating to planning application 2015/0683/FUL which had been considered by the Planning Committee on Wednesday 7 September 2016. The Chair requested that Councillors forward any communications relating to this application to Democratic Services. The Chair also reminded Councillors of the requirement that any communications received by them relating to planning applications must be forwarded to the relevant Planning Officer, and that Councillors were required to make a declaration at each meeting outlining what representations they had received.

The Chair updated Councillors regarding planning application 2016/0644/OUT, which had been considered at the Planning Committee meeting on Wednesday 11 January 2017. It was explained that the Committee had resolved to be minded to refuse the application. The Chair explained that following the meeting further discussions between officers and the applicant had taken place which could result in an amended application being submitted. It was confirmed that if an amended application was not forthcoming then the original application would be brought back to the Committee with suggested reasons for refusal.

The Chair advised that application 2016/1368/FUL (agenda item 6.6) had been withdrawn, and that application 2016/1384/FUL (agenda item 6.7) would be considered before 2016/0716/FUL (agenda item 6.5) due to the application having speakers.

## **51. MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 11 January 2017, and the minutes of the Planning Sub-Committee meeting held on 25 January 2017.

It was noted that Councillor Peart had attended the Planning Sub-Committee meeting, and not Councillor Pearson as stated in the minutes. It was also noted that Yvonne Naylor, Principal Planning Officer, had also been in attendance at the Sub Committee however had not been recorded on the attendance list.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 11 January 2017, and the minutes of the Planning Sub-Committee meeting held on 25 January 2017 as a correct record subject to the amendments above.**

## **52. 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.**

## **53. PLANNING APPLICATIONS RECEIVED**

The Committee considered the following planning applications.

**53.1 Application: 2016/1257/OUTM**  
**Location: Selby Road, Camblesforth**  
**Proposal: Outline application for residential development including access on field to the north A1041**

The Interim Deputy Lead Officer (Planning) presented the report, which had been brought before the Planning Committee due to the proposals being contrary to the Development Plan and the application receiving more than ten representations. The Committee noted the Officer Update Note which highlighted additional representations received since the agenda was published.

The Interim Deputy Lead Officer (Planning) explained that the application was for outline planning permission for a residential development on land to the north of the A1041 in Camblesforth. It was noted that the original scheme provided an indicative layout for 105 dwellings, and the revised scheme provided an indicative layout for 70 dwellings.

The Committee were informed that the application failed the sequential test as alternative sites were available in Camblesforth which could contain the development in a lower risk flood zone. It was also noted that the scale of the development was not appropriate to the size and role of Camblesforth and would be an encroachment into the open countryside, and that the development would detract from and harm the landscape character of land at Camblesforth Hall and Dovecote.

Stuart Anderson, a local resident, addressed the committee to object to the application.

Councillor Mike Jordan addressed the committee, representing Camblesforth Parish Council, to object to the application.

Adrian Hill addressed the committee on behalf of the applicant in support of the application.

The Interim Deputy Lead Officer's recommendation to refuse the application, for the reasons detailed in the report, was moved and seconded.

**RESOLVED:**

**To REFUSE the application for the reasons detailed in paragraph 3 of the officer's report.**

**53.2 Application: 2016/1008/HPA**  
**Location: The Loft, 26A Low Street, Sherburn in Elmet**  
**Proposal: Proposed extension and alterations to outbuilding to form a domestic garage for ancillary use to host dwelling.**

The Senior Planning Officer presented the report, which had been brought before the Committee due to the application having received more than ten representations. The Committee noted the Officer Update Note which included an additional representation received, and an additional condition relating to the external appearance of the development.

It was confirmed that the application was for the alteration and extension of an existing outbuilding to create a domestic garage. The Senior Planning Officer confirmed that, if approved, the garage could only be used for domestic purposes and business use would require separate planning consent. The Senior Planning Officer also confirmed that internal works would not normally require further planning consent.

The Committee noted that paragraph 1.1.2 should read 'Low Street' and not 'Low Road', and that paragraph 2.6.2 should read 'single-storey' and not 'side storey'.

Stephanie Gilbert, a local resident, addressed the Committee to object to the application.

Councillor Paul Doherty addressed the Committee on behalf of Sherburn in Elmet Parish Council to object to the application.

Matthew Askey addressed the Committee on behalf of the applicant to support the application.

The Senior Planning Officer's recommendation to approve the application, subject to conditions contained in the Officer's report, was moved and seconded.

**RESOLVED:**

**To APPROVE the application subject to the conditions detailed in paragraph 4 of the officer's report and the additional condition in the officer's update note.**

**53.3 Application: 2016/1322/OUTM**  
**Location: Colton Lane, Appleton Roebuck**  
**Proposal: Outline application with means of access for approval (all other matters reserved) for the erection of up to 28 no. new dwellings, together with associated infrastructure and open space provision**

The Principal Planning Officer presented the report which had been brought before the Committee due to the number of representations received and that the application was contrary to the Development Plan but that there were material considerations that could justify approval. The Committee noted the Officer Update Note, which included additional representations received since the agenda was published. The Update Note also included specific reference and assessment of the inter-relationship of this proposed development to a nearby site which was refused consent for residential development under application – 2016/0201/OUT, with a plan showing this site included as part of the Officer Update Note and within the presentation slides. The different impacts of the two sites in relation to long distances views and their relationship to the urban form was explained to the Committee

The Principal Planning Officer explained that the application was an outline application with all matters reserved for a residential development on land abutting the development limits of Appleton Roebuck, which was a Designated Service Village.

The Principal Planning Officer advised the Committee that an original application had been granted in September 2015, when the Council was unable to evidence a five-year housing land supply, but had been overturned as a result of court submissions made by an objector. It was explained that, following High Court intervention and the quashing of the September 2015 decision, the application was re-considered in September 2016, when the Council could demonstrate that it had a five-year housing land supply, and was refused by the Planning Committee.

The Committee noted that the Council was currently unable to demonstrate that it had a five-year housing land supply, and that the application should be considered in the context of the presumption in favour of sustainable development.

Mr J Tuohy, a local resident, addressed the Committee to object to the application.

Councillor Les Rayment addressed the Committee on behalf of Appleton Roebuck Parish Council to object to the application.

Steve Grimster addressed the Committee on behalf of the applicant to support the application.

The Principal Planning Officer's recommendation to approve the application subject to the conditions detailed in the report was moved and seconded.

**RESOLVED:**

**To APPROVE the application, subject to a Section 106 agreement to secure the provision of 40% of units for affordable housing (at a mix of 70% rent and 30% intermediate), waste and recycling and provision of on-site recreational open space and the conditions detailed at paragraph 2.23 of the officer's report.**

**53.4 Application: 2016/0141/COU**  
**Location: Birchwood Lodge, Market Weighton Road, Barlby**  
**Proposal: Proposed change of use to form grass runway**

The Principal Planning Officer presented the application which had been brought before the Committee following a request from the ward councillor, Councillor Karl Arthur.

The application was for a change of use to form a grass runway. The Principal Planning Officer informed the Committee that the land was currently used as a grass runway facilitating flights for up to 28 days per year, and that this had been authorised under a General Permitted Development Order. It was confirmed that the applicant was seeking to increase the number of permitted flights, beyond that which was possible under the General Permitted Development Order.

It was confirmed that the number of flights would be restricted to an average of four take-offs and landings restricted to between 0800 and 1700 on Mondays to Fridays, and that the operation of the runway would be restricted to no more than three days per week.

The Principal Planning Officer advised that a condition had been included which would allow the permission to be granted for a period of two-years and that the applicant would have to submit a new application to extend the permission beyond two-years. It was explained that this was to allow the impact of the runway to be assessed.

The Committee requested an additional condition or amendments to proposed conditions which would require the operator of the runway to maintain records of usage in order to assist officers in monitoring the impact.

Michael McDonald, a local resident, addressed the Committee to object to the application.

Mr Howlett addressed the Committee on behalf of the applicant, to support the application.

A request was made by the Committee to defer a decision on the application to allow for a site visit, as the Committee was concerned about the proximity of adjacent residential properties. This was moved and seconded.

**RESOLVED:**

**To DEFER a decision on the application to allow for a Committee site visit due to concerns about the proximity of adjacent residential properties to be arranged.**

**53.5 Application: 2016/1384/FUL**  
**Location: Old Forge Cottage, Main Street, Church Fenton**  
**Proposal: Proposed erection of 1 no dwelling**

The Principal Planning Officer presented the report, which had been brought before the Committee due to the applicant being a district councillor. The Committee noted the Officer Update Note, which included an additional representation from Church Fenton Parish Council.

The application was for the erection of a detached dwelling outside the defined development limits of Church Fenton. The Committee noted that the Council was currently unable to demonstrate that it had a five-year housing land supply, and was advised that the application should be considered in the context of the presumption in favour of sustainable development.

The Principal Planning Officer confirmed that the site was located partly within the Strategic Countryside Gap (SCG) between the east and west sides of Church Fenton, but that most of the proposed dwelling would lie outside the SCG and that this was not considered to be a significant development within the SCG.

It was also confirmed that conditions had been included that would remove permitted development rights, and that any additional buildings (such as extensions and outbuildings) would require the consent of the planning authority.

Mark Newby spoke on behalf of the applicant, in support of the application.

The Principal Planning Officer's recommendation to approve the application, subject to conditions detailed in paragraph 2.15 of the report, was moved and seconded.

**RESOLVED:**

**To APPROVE the application, subject to the conditions detailed in paragraph 2.15 of the report.**

**53.6 Application: 2016/0716/FUL**  
**Location: Land adjacent to 6 Northfield Lane, Church Fenton**  
**Proposal: Proposed erection of a detached bungalow**

The Senior Planning Officer presented the report, which had been brought before the Committee as the proposal was contrary to the Development Plan, but that there were material considerations which could justify approving the application. The Committee noted the Officer Update Note, which included revised conditions.

The application was for the erection of a detached bungalow with integral garage on a site which was located outside of, but immediately adjacent to, the defined development limits of Church Fenton. The Committee noted that the Council was currently unable to demonstrate that it had a five-year housing land supply, and that the application should be considered in the context of the presumption in favour of sustainable development.

The Senior Planning Officer's recommendation to approve the application, subject to the conditions in paragraph 2.17 of the officer's report and the revised conditions in the Officer Update Note was moved and seconded.

**RESOLVED:**

**To APPROVE the application subject to the conditions in paragraph 2.17 of the officer's report and the revised conditions in the Officer Update Note.**

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The meeting closed at 4.11pm.