

Minutes

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 12 April 2017
Time:	2.00pm
Present:	Councillors J Cattnach (Chair), D Peart (Vice-Chair), I Reynolds, Mrs E Casling, I Chilvers, J Deans, B Marshall, C Pearson and P Welch.
Apologies:	none.
Officers present:	Kelly Dawson, Senior Solicitor; Jonathan Carr, Interim Lead Officer (Planning); Thomas Webster, Principal Planning Officer; Louise Milnes, Principal Planning Officer; Fiona Ellwood, Principal Planning Officer; Janine Jenkinson, Democratic Services Officer and Paul Roberts, North Yorkshire County Council, Highways.
Public:	24
Press:	1

63. DISCLOSURES OF INTEREST

There were no disclosures of interest.

64. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair reported that the order of the agenda had been adjusted to reflect the number of public speakers registered in relation to each application. The Chair explained that application 2016/1256/OUTM – Land at Hodgsons Lane, Sherburn in Elmet would be considered as the first item.

65. 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.

66. MINUTES

The Committee considered the minutes of the Planning Sub-Committee meeting held on 22 February 2017 and the Planning Committee held on 8 March 2017.

RESOLVED:

To approve the minutes of the Planning Sub-Committee meeting held on 22 February 2017 and the Planning Committee held on 8 March 2017, for signature by the Chair.

67. PLANNING APPLICATIONS RECEIVED

The Committee considered the following planning applications:

67.1 Application: 2016/1256/OUTM

Location: Land at Hodgsons Lane, Sherburn in Elmet

Proposal: Outline application for residential development comprising up to 60 dwellings, areas of open space, landscaping and associated infrastructure with all matters reserved except access on land to north.

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined comments received from Sherburn In Elmet Parish Council and North Yorkshire County Council Highways Officer and set out additional conditions to be attached to any permission approved, in relation to a Construction Environmental Management Plan, hours of construction, piling, contaminated land, footway standards, parking facilities, Permitted Development Rights, and doors, windows, and highways.

Members were informed that the application had been brought before the Planning Committee due to it being a departure from the Development Plan and more than 10 letters of objection being received. In addition, Councillor Buckle had requested the application be heard by Committee for the reasons set out in the report.

The Principal Planning Officer explained that the site was located in an area of open countryside immediately adjacent to the defined development limits of Sherburn and was on an area of land designated as safeguarded land. If approved, the scheme would see the development of safeguarded land that had long been identified as being suitable for much needed housing, including a significant amount of affordable properties, at a time when the council did not have a 5 year land supply. The scheme would also make provision for open space.

The Committee was advised that the site was very well placed for access to shops, restaurants, and entertainment and leisure facilities. Public transport links were many and easily reached. Members were informed that the site was well-placed for redevelopment, was a sustainable and accessible site that had been safeguarded for future development and was close to Sherburn town centre. The Principal Planning Offer recommended that members approve the application.

With regard to highways and access issues that had been raised, the NYCC Highways Officer stated that Pinfold Garth was acceptable in highways terms and would not have a detrimental impact on the highway network. Members were informed that the scheme was in-line with policy and design standards and there were no grounds to recommend refusal of the application based on highway impact.

Emma Woodward, local resident, spoke in objection to the application.

Paul Doherty, Chair of Sherburn In Elmet Parish Council, spoke in objection to the application.

Councillor Mel Hobson, ward member, spoke in objection to the application.

Liam Tate, the applicant's agent, spoke in support of the application.

In response to a query regarding permitted hours of construction, the Principal Planning Officer explained there was an error in the Update Note and the working hours would be set as 0800 to 1800 Monday – Friday and 0900 to 1300 on Saturdays and no construction on Sundays or Bank and Public Holidays.

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

RESOLVED:

To APPROVE the planning application, subject to delegation being given to officers to complete the Section 106 Agreement to secure 40% on-site provision for affordable housing, on-site recreational open space provision and maintenance, a contribution of £20,000 towards traffic lights in the village centre, a Travel Plan and a £5,000 monitoring fee, and a waste and recycling contribution and subject to the conditions detailed in section 3.0 of the report, the conditions set out in the Update Note and an amendment to the condition regarding hours of construction, as detailed above.

67.2 Application: 2016/1441/FULM
Location: Euro Auctions Ltd, Roall Lane, Kellington.
Proposal: Extension to Euro Auctions site including development of office building, workshop, auction arena, access arrangements, car parking, hardstanding and associated landscaping.

The Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined comments received from NYCC Highways and additional conditions recommended to be attached to any permission granted, a letter from the agent in response to parish council comments submitted and set out a revised recommendation from the Planning Officer.

Members were advised that the application had been brought before the Planning Committee due to the level of representations received contrary to the officer recommendation.

The Planning Officer reported that the proposed development related to revisions to a previous approval granted in 2012 for the extension to Euro Auctions site and included revised detailed for the scale and position for an office building, workshop, auction arena, access arrangements, car parking, hardstanding and associated landscaping.

Members were informed that the development would be consistent with the aims of both the Core Strategy and the Local Plan, and would allow for improvements to layout and arrangement of the permitted expansion. The Committee was advised that given the established use of the site, the works were considered to be acceptable in principle. Members were advised that the key issue in the determination of the application related to the principle of the development, highway safety conditions, residential amenity, impact on the character and appearance of the locality, floor risk, drainage and climate change.

The Planning Officer stated that it was considered that any harm arising from the development would be outweighed by the benefits of the proposal, when assessed against the policies in the Core Strategy, Local Plan, and the National Planning Policy Framework (NPPF) taken as a whole. Members were advised that having regard to all relevant policies of the Development Plan and other material considerations, the application was considered to be acceptable, subject to the imposition of suitable conditions. The Planning Officer recommended the application be approved.

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

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

RESOLVED:

To APPROVE the planning application, subject to no materially adverse comments from the Environmental Health Officer or drainage consultee being received and the inclusion of any additional conditions recommended by them, and subject to the conditions and reasons detailed in section 3 of the report and the amendments set out in the Update Note.

**67.3 Application: 2016/1343/OUTM
Location: Former Kellingley Colliery
Proposal: Turvers Lane, Kellingley**

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined amendments to the Committee report, including minor changes to Condition 23.

Members were informed that the application had been brought before the Planning Committee due to the proposal representing a departure from the Development Plan. The Principal Planning Officer explained that the proposal was a departure because the site, although in employment use for over 50 years, was not an allocated site and the application was for large scale development that would have an impact on the surrounding environment.

The Principal Planning Officer informed the Committee that the development would support the strategic vision of the council, as set out in the Corporate Plan 2015-2020 and was in-line with the general objectives of the Core Strategy and the NPPF. The application would deliver employment growth, strengthen the local economy and generate significant employment training opportunities (in the construction and operation phases) for local ex miners, unemployed residents of Selby and in the 'five towns' of Wakefield and other people in the locality. The Committee was informed that Kellingley Colliery was not an allocated site in the Core Strategy because, at the time of adoption of the Core Strategy, the colliery was still in use as a coal mine. The Principal Planning Officer explained that the site was a large and important piece of brownfield land with good transport links that would make the site well-placed for a redevelopment.

Members were informed that appropriate redevelopment was vital to the regeneration of the ex-colliery site and the economic growth ambitions of the wider area. The Principal Planning Officer explained that in addition to replacing the 630 jobs that were lost through the closure of the colliery in December 2015, the proposal would over a 10-year period, create up to 2,900 new jobs, improve the drainage system of the site, deliver a significant amount of publically accessible open space, provide a cycle/footpath to the canal, and deliver new local employment training/ opportunities to residents of Selby and nearby towns in Wakefield area.

In conclusion, the Principal Planning Officer stated that the principle of developing the site for 135,500 sqm gross floor space (GIA) of mixed-use employment space was acceptable, as it would transform an underused and derelict site into an important and valuable employment site which would support the council's growth agenda and would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development. The Principal Planning Officer recommended the application be approved.

Tim Love and Claire Kent, the agents, spoke in support of the application.

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

RESOLVED:

To APPROVE the planning application, subject to the following:

- I. No objections from Highways England, and any other statutory consultee being received, after the advertisement/re-consultation.**
- II. Following referral of the application to the Secretary of State; his confirmation that it is not to be called in for his consideration.**
- III. The completion of a satisfactory S106 Agreement and conditions.**
- IV. The heads of terms, which form the basis of the S106 Agreement, as set out in section 3 of the report and the amendments set out in the Update Note.**

67.4 Application: 2017/0113/FUL
Location: Ings View Farm, Main Street, Thorganby
Proposal: Conversion of single dwelling into two separate dwellings by way of a new party wall construction, construction of a new garage, new gate and wall to driveway, replacement of existing window with new double door.

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note. The Update Note outlined objections received from the Parish Council, comments from Ouse and Derwent Internal Drainage Board and an additional letter of objection from a member of the public.

The Principal Planning Officer reported that the application had been brought to Planning Committee in the context of the recent Court of Appeal Judgement in relation to the West Berkshire Case. Members were advised that prior to the judgement the council was able to seek a contribution for

Affordable Housing under Policy SP9 of the Core Strategy and the Affordable Housing Supplementary Planning Document (SPD) for development under 10 units. However, following the recent court judgement the proposal was contrary to the provisions of the Development Plan, but it was considered there were material considerations which would justify approving the application. In addition, more than 10 letters of representation had been received, which raised material planning considerations and officers would otherwise determine the application contrary to these representations.

The Committee was informed that the principle of the proposed development was considered to be acceptable having regard to Policy SP2A (b) and SP4 (a) of the Core Strategy given that the proposal was for the conversion of an existing building located within the defined development limits of Thorganby, which was a Secondary Village as identified in the Core Strategy. However, these policies were considered to be out of date in so far as they related to housing supply as the council acknowledges that it did not have a 5 year housing land supply. As such 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. The Principal Planning Officer stated that in assessing the proposal against the three dimensions of sustainable development set out within the NPPF, the development would bring economic, social and environmental benefits which weighed in favour of the proposal.

Members were informed that having assessed the proposal against the relevant policies, it was considered that the application was acceptable in respect of its impact on heritage assets, design and impact on the character and appearance of the area, impact on residential amenity, impact on highway safety, climate change, flood risk and drainage and nature conservation and protected species.

RESOLVED:

To APPROVE the planning application, subject to the conditions detailed in paragraph 2.14 of the report.

Note – Councillor I Reynolds left the Chamber at this point in the meeting and did not return.

67.5 Application: PREAPP/2017/0118

Location: Rigid Paper Mill, Dennison Road, Selby

Proposal: Outline scheme for residential, retail, marina

The Principal Planning Officer introduced the application and referred the Committee to the additional information provided in the Update Note.

The Principal Planning Officer explained that the pre-application presentation related to the re-development of the former Rigid Paper Mill site, which had been granted outline consent on 4 July 2014, with all matters reserved for mixed use development incorporating residential, retail, leisure and marina.

Since the approval was granted in 2014, the landowner had made sustained efforts to secure a developer to take forward the consented scheme. Members were informed that the efforts had failed and it had become evident that the approved scheme was undeliverable due to the scheme's viability. The Principal Planning Officer explained that the site was one of the District's largest 'stalled' sites and should be considered within the context of the wider work being undertaken to improve the Town Centre and Selby Railway Station, due to its close proximity. Members were informed that the landowner was seeking to bring forward a revised outline scheme in June 2017.

The Committee was provided with a presentation from Richard Coward, Managing Director of Rigid Containers and David Rudlin, Architect from Urbed.

Councillors were invited to ask questions and provide views regarding the proposed development.

Members discussed the following:

- The number of car parking spaces per dwelling.
- Proposed access arrangements and highway layout.
- Works to be carried out to the existing pond that was in a poor state of repair.
- Facilities and shopping provision on site.
- Land contamination on site and remedial works that would be carried out.
- The percentage of affordable housing provision.
- The provision of a pedestrian footway across the Canal.
- Members supported the proposed pre-application consultation being undertaken and specific briefings with ward members and Selby Town Council and the Civic Society.

The meeting closed at 4.25 pm.