

Minutes

Planning Committee

Venue:	Council Chamber
Date:	Wednesday 12 July 2017
Time:	2.00pm
Present:	Councillors J Cattnach (Chair), E Casling, I Chilvers, J Deans, R Packham, C Pearson, I Reynolds and P Welch.
Apologies:	Councillor D Peart.
Officers present:	Kelly Dawson, Senior Solicitor; Ruth Hardingham, Planning Development Manager; Yvonne Naylor, Principal Planning Officer; Jill Low, Principal Planning Officer; Keith Thompson, Senior Planning Officer; Jenny Tyreman, Planning Officer; Diane Wilson, Planning Officer; Tim Coyne, North Yorkshire County Council Highways Officer; and Daniel Maguire, Democratic Services Officer.
Public:	19
Press:	1

7. DISCLOSURES OF INTEREST

Councillor I Reynolds declared a pecuniary interest in agenda item 6.3 (application number 2016/0875/FUL) as he was the agent for the application, he advised that he would leave the meeting whilst this application was being considered.

All councillors declared that they had received representations regarding applications 2016/0875/FUL and 2017/0238/FUL and that the representations had been passed to the relevant planning officer.

8. CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair welcomed councillors and officers, and confirmed that there were no changes to the order of the published agenda. He also advised councillors that an update note had been circulated by officers.

9. 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.

10. MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 14 June 2017.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 14 June 2017.

11. PLANNING APPLICATIONS RECEIVED

The Committee considered the following planning applications:

11.1 Application: 2016/1314/FULM

Location: Turnhead Farm, York Road, Barlby, Selby

Proposal: Proposed residential development (partial re-plan of approval 2013/0478/FUL), associated infrastructure, play areas and incidental open space.

The Principal Planning Officer introduced the application and confirmed that a Highways Officer from North Yorkshire County Council was in attendance to assist with any highways queries from councillors.

The Committee was informed that the application was a partial re-plan of a previous approval for residential development (previous application was 2013/0478/FUL) and had been considered by the Committee at its meeting on 14 June 2017. It was explained that, at the meeting on 14 June 2017, the Committee had resolved to defer a decision on the application pending further consideration of the proposed access road into York Road for ten dwellings at the northern end of the site.

The Principal Planning Officer reported that, since the previous meeting, the applicant had amended the application to remove vehicle access on to York Road, and to provide a pedestrian footpath as far as the existing bus stop on York Road.

In response to questions from the Committee, the Highways Officer confirmed that comprehensive modelling suggested that there would not be a highway safety problem and that the additional dwellings would not adversely affect the existing highway network. He confirmed that he was satisfied with the application as presented, and in particular that the new footpath was an additional benefit.

Parish Councillor Brian Marshall spoke in objection to the application.

Vicky Sykes, the applicant's agent spoke in support of the application.

In response to questions from the Committee, the Principal Planning Officer confirmed that Flood Zone 1 was the lowest level of flood risk, and that there were no dwellings proposed for Flood Zone 3.

It was proposed and seconded that the application be approved.

RESOLVED:

To APPROVE the planning application, subject to conditions similar to those detailed in Paragraph 3.0 of the report and subject to a Deed of Variation to the original section 106 Agreement, reducing the waste and re-cycling contribution to £5,185.47 and reducing the health contribution to £111,731.84, and reducing the affordable housing requirement to 9 units, and the preparation of a new Section 106 Agreement requiring 11.27% on site affordable housing on the re-planned area (equating to 15 affordable units) and contributions to waste and re-cycling.

6.2 Application: 2017/0209/COU

Location: Lumby Hall, Butts Lane

Proposal: Change of Use of Orangery and bar lounge to small traditional style tea room.

The Senior Planning Officer introduced the application and referred the Committee to the additional information provided in the update note, which made a number of corrections to the published report and confirmed two further neighbour comments had been received.

It was confirmed that the application had been brought to the Committee due to the number of representations received and the application having been called-in by the ward councillor. The application was for a change of use affecting two rooms within the main building of Lumby Hall into a traditional-

style tea-room, with associated parking and access, and the use of toilets and a kitchen within the dwelling.

It was noted that the site was within the Green Belt and the Locally Important Landscape Area (LILA), but the Senior Planning Officer advised that the development was for a change of use and would not be inappropriate for the Green Belt and that there would be no adverse effect on the LILA.

In response to questions from the Committee, the Senior Planning Officer confirmed that conditions were included in the recommendation that would prevent the tea-room from evolving into a restaurant, and that the potential sale and supply of alcohol would be governed under the licensing regime.

Douglas Fletcher, a local resident, spoke in objection to the application.

Councillor David Hutchinson, the local ward councillor, spoke in objection to the application.

Nicola Cockrem, the applicant, spoke in support of the application.

It was proposed and seconded to approve the application.

RESOLVED:

To APPROVE the planning application, subject to the conditions detailed in section 3.0 of the report.

6.3 Application: 2016/0875/FUL

Location: Land off High Eggborough Lane, Eggborough
Proposal: Proposed erection of 54 dwellings.

Note – Further to his declaration, Councillor I Reynolds left the meeting and did not take part in the discussion or vote in respect of this application.

The Principal Planning Officer introduced the application. She confirmed that the application had been brought before the Committee due to the number of representations received, and that the proposal was contrary to policy EGG/2 of the Selby District Local Plan, but was being recommended for acceptance.

It was confirmed that the application sought permission for the erection of 54 dwellings on a site previously identified under allocation EGG/2 of the Selby District Local Plan as a housing allocation site.

In response to questions from the Committee it was confirmed that the application was contrary to policy EGG/2 of the Selby District Local Plan due to the requirement to widen High Eggborough Road to a 5.5-metre highway, the provision of a 1.8-metre wide footpath, and the retention of a 50-metre wide tree belt on the eastern edge of the site. The Principal Planning Officer confirmed that she had determined that these requirements were not relevant

due to there having been no objections raised by the Environmental Health Officer nor the highway authority.

John McCartney, a local resident, spoke in objection to the application.

Councillor Colin White, a parish councillor, spoke in objection to the application.

Councillor Mary McCartney, the local ward councillor, spoke in objection to the application.

Stuart Shapley (Yorvik Homes), the applicant, spoke in support of the application.

The Committee raised concerns regarding the level of affordable housing being provided. The Principal Planning Officer confirmed that discussions had taken place with the applicant and the District Valuer, and that she was confident that the level of affordable housing was necessary to ensure the viability of the overall development.

The Committee raised concerns regarding noise levels from the adjacent A19 trunk road, but also recognised the judgement of the Environmental Health Officer that this was satisfactory.

It was proposed and seconded to approve the application.

RESOLVED:

To APPROVE the application, subject to the completion of a Section 106 agreement to secure 5 Affordable Units offered as discount for sale in perpetuity, on-site recreational open space (provision and management) and a waste and recycling contribution and subject to the conditions detailed in Section 3.0 of the report.

6.4 Application: 2016/0892/FUL

Location: Church Fenton Lane, Ulleskelf

Proposal: Proposed erection of residential development of 30 units on land at Church Fenton Lane, Ulleskelf.

Note – Councillor I Reynolds returned to the meeting at this stage.

The Principal Planning Officer introduced the application and referred the Committee to the update note which included a minor correction to the published report.

It was confirmed that the application was for the erection of 30 dwellings and had been brought before the Committee due to the site being outside the defined development limits of Ulleskelf, and therefore the application was contrary to policy SP2A(c) of the Core Strategy.

The Principal Planning Officer noted that the council had conceded that it did not have a 5-year housing land supply and therefore planning permission should be granted unless material considerations indicated otherwise.

Tessa Fletcher, the applicant's agent, spoke in support of the application.

It was proposed and seconded to approve the application.

RESOLVED:

To APPROVE the planning application, subject a S106 Agreement in relation to the provision of 40% of units for Affordable Housing in accordance with Plan 1,620.02 Revision J, a Waste and Recycling and Provision and Management of On Site Recreational Open Space in accordance with Plan 1,620.02 Revision J and subject to the conditions detailed in Paragraph 2.22 of the report.

6.5 Application: 2017/0349/FUL

Location: Jubilee Cottage Common Rd Barkston Ash

Proposal: Section 73 application to remove condition 3 (occupation annexe) of approval 2011/0017/FUL for the erection of a two bedroom annexe.

The Planning Officer introduced the application, which had been brought before the Committee due to the number of representations received.

The application sought approval to remove condition 3 from the original planning application (2008/0433/FUL) which restricted occupancy of a detached two-bedroom annexe for purposes ancillary to the use of Jubilee Cottage. It was confirmed that the annexe had not yet been constructed, but that the permission remained in force due to a technical commencement having been made.

Nicola Taylor, a local resident, spoke in objection to the application.

Jenny Hubbard, the applicant's agent, spoke in support of the application.

The Committee was concerned that the Planning Officer had over-estimated the effect that removal of condition 3 would have on vehicle movements and associated noise and disturbance, and that consequently the application would be compatible with policy ENV1(1) of the Local Plan and the National Planning Policy Framework (NPPF).

It was proposed and seconded that the application be refused in accordance with the recommendation of the Planning Officer.

An amendment to approve the application, subject to a condition to remove Permitted Development Rights, was proposed and seconded.

Upon being put to the vote, the amendment was lost.

The proposal to refuse the application was then put to the vote.

RESOLVED:

To REFUSE the application as the removal of condition 3 would create an independent dwelling which would increase the intensification of vehicular movements associated with the site resulting in increased noise and disturbance in close proximity to nearby dwellings which would cause significant detrimental impact to the current levels of residential amenity of the occupants and would therefore conflict with the aims of Policy ENV1(1) of the Local Plan and the NPPF.

6.6 Application: 2017/0238/FUL

Location: Land Adjacent, St Pauls Church, Main Street, Colton, Tadcaster

Proposal: Proposed erection of dwelling house, parking and turning.

The Planning Officer introduced the application and explained that the application had been brought before the Committee due to the number of representations received.

It was confirmed that the application sought permission for the erection of a detached dwelling within the defined development limits of Colton. It was noted that the proposed garden area would be outside the defined development limit and would therefore be located within the Green Belt.

The Planning Officer confirmed that she was recommending that the application be refused due to the side-orientation of the dwelling which would result in the proposed dwelling appearing cramped within the site, which would in turn have a detrimental effect on the character and form of the area. It was explained that this would be contrary to policy ENV1 (1) and (4) of the Selby District Local Plan, policy SP19 of the Core Strategy and the advice contained within the NPPF

Stuart Towers, the applicant, spoke in support of the application.

The Committee was concerned about the proposed timber cladding on the dwelling and suggested that the applicant and the Planning Officer consider a material that would be more in keeping with the character of existing dwellings in Colton.

The Committee considered that the side orientation of the dwelling would not have a detrimental effect on the character and form of the area, and therefore would not be contrary to policy ENV1 (1) and (4) of the Selby District Local

Plan, policy SP19 of the Core Strategy nor the advice contained within the NPPF.

It was proposed and seconded to approve the application, subject to appropriate conditions including: approval of the material used in construction; time for commencement of development; highways conditions; approved plans; removal of permitted development rights; designing out crime conditions and informative on public rights of way.

RESOLVED:

To APPROVE the planning application, subject to conditions and delegation to the Planning Officer attached appropriate conditions including alternative construction material.

The meeting closed at 4.46 pm.