

Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 6 February 2019
Time:	2.00 pm
Present:	Councillor J Cattanach in the Chair Councillors D Peart (Vice-Chair), I Chilvers, J Deans, R Musgrave, R Packham and P Welch, I Reynolds and D Buckle
Officers Present:	Martin Grainger, Head of Planning, Ruth Hardingham, Planning Development Manager, Mandy Cooper, Principal Planning Officer, Jenny Tyreman, Senior Planning Officer, Paul Edwards, Principal Planning Officer, Sarah Morton, Solicitor, North Yorkshire County Council, Glen Donaldson, North Yorkshire County Council Highways; and Dawn Drury, Democratic Services Officer
Press:	0
Public:	20

44 APOLOGIES FOR ABSENCE

The Democratic Services Officer informed the Committee that apologies had been received from Councillors Casling and White.

It was noted that Councillor Buckle was in attendance as a substitute for Councillor Casling and Councillor Reynolds was in attendance as a substitute for Councillor White.

45 DISCLOSURES OF INTEREST

Councillor D Peart declared a personal interest in agenda item 6.5 – 2018/0646/FUL – A19 Caravan Storage Limited, Hazel Old Lane, Hensall as

he used to be a business partner of the applicants father. Councillor Peart confirmed that he would not take part in the debate or vote.

Councillor I Reynolds declared a personal interest in agenda item 6.1 – 2018/0051/FULM – Park Farm, Main Street, Skipwith as he had been involved with the site with a previous owner. Councillor Reynolds confirmed that he would not take part in the debate or vote.

Councillor D Peart informed the Committee that he had received photographs of the site by email from an objector; Councillor R Musgrave confirmed that he had also received the photographs.

46 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

Members were asked to note that application 6.6 - 2018/1108/FUL – Land to the Rear of the Lodge, 23 Selby Road, Riccall, had been withdrawn from the agenda and would therefore not be considered at this meeting.

An officer update note had been circulated, and the order of business had been amended to reflect the number of speakers on each item. The order of business would be as follows:

1. 2018/0681/FULM – Viner Station, Roe Lane, Birkin
2. 2018/0415/OUT – 4 Sutton Lane, Byram, Knottingley
3. 2018/0051/FULM – Park Farm, Main Street, Skipwith
4. 2018/0226/FUL – East End Cottage, Main Street, Thorganby
5. 2018/0398/FUL – Partridge Hill Farm, Oxmoor Lane, Church Fenton
6. 2018/0646/FUL – A19 Caravan Storage Limited, Hazel Old Lane, Hensall
7. 2018/1111/FULM – Dovecote Park, Bankwood Road, Stapleton

47 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.

48 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 16 January 2019.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 16 January 2019 for signing by the Chairman.

49 PLANNING APPLICATIONS RECEIVED

The Committee considered the following applications:

49.1 2018/0681/FULM - VINER STATION, ROE LANE, BIRKIN

Application: 2018/0681/FULM

Location: Viner Station, Roe Lane, Birkin.

Proposal: Retrospective application for works as outlined in the report.

The Planning Development Manager presented the application which had been brought to Committee at the decision of the Head of Planning.

The Committee noted that the application was a retrospective application for different works as outlined in the report.

The Planning Development Manager informed the Committee that since the report had been written, the applicant had sought to speak with North Yorkshire Highways regarding alternative approach routes to the site. It was explained that the Local Highways Authority had taken into account the width and condition of the surrounding roads and with the intensified use of the site it was felt that the works were unsustainable for the open countryside location.

In relation to the officer update note, the Committee was informed that since the finalisation of the report there had been further consultation with the North Yorkshire County Council (NYCC) Sustainable Urban Drainage Officer (SuDS), who had recommended that the application be refused on the grounds recorded in the update report. It was noted that the applicant had submitted further information, however the NYCC SuDS officer had felt that there was still insufficient information to overcome previous concerns raised.

In response to member queries regarding alternative routes, the NYCC Highways Officer confirmed that the applicant had responded with three suggestions however no further information had been received.

David White, resident, spoke in objection to the application.

Julie Sadler, representing Hillam Parish Council, spoke in objection to the application.

Councillor John Mackman, Ward Councillor, spoke in objection to the application.

Mark Richmond, agent, spoke in support of the application.

Members queried that the report referred to SP2, however this was not listed in the reasons for refusal. The Planning Development Manager explained that SP2 allows for certain types of development within the open countryside such as the re-using of existing buildings, however Policy S13 of the Core Strategy

would not allow such intensification within this countryside location. The Committee agreed that the application seemed to be industrialisation of this site which was clearly unsustainable in this open countryside location.

Members queried why the applicant thought the highways issue had been resolved. The NYCC Highways Officer confirmed that the applicants suggestion of alternative sites such as Austfield Lane or Fox Lane could be a solution, however nothing further had been supplied by the applicant for assessment by the NYCC Highways Officer.

Members felt the application was an industrial development in the wrong location and in an agricultural building. It was further noted that only one boiler would be required for farming purposes, and would only be used intermittently. The members also raised concerns over the impact on the existing highway network.

It was proposed and seconded that the application be refused in line with the officers recommendation.

RESOLVED:

To REFUSE the application for the reasons set out in Section 6 of the report.

49.2 2018/0415/OUT - 4 SUTTON LANE, BYRAM, KNOTTINGLEY

Application: 2018/0415/OUT

Location: 4 Sutton Lane, Byram, Knottingley.

Proposal: Outline planning application for residential development of 4no 2 bedroom town houses and 2no 3 bedroom houses to include details of access and scale at number 6 (Including access and scale)

The Principal Planning Officer presented the application which had been brought to Committee as at least 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 noted that the application was an outline planning application for residential development of 4no 2 bedroom town houses and 2no 3 bedroom houses to include details of access and scale at number 6 (Including access and scale)

In relation to the officer update note, the members were informed that the application number on the report was incorrect and should read 2018/0415/OUT, and that the whole of the site was greenfield. They were further informed that the application proposals did not include any details with all matters reserved and therefore all conditions relating to highways had been removed from the application, namely conditions 8, 9 and 13; and the application was no longer subject to a Section 106 Agreement.

The members queried the close proximity of the other dwellings and whether the application required a working hours condition. The Principal Planning Officer confirmed that the application was only at the outline stage and therefore conditions could be added if the Committee felt it necessary.

Members asked for clarification regarding concerns over poor visibility at the access to the site with reference to a hedge and in particular, if the residents of the neighbouring property refused to cut the hedge would the visibility still be achieved. The Principal Planning Officer confirmed that the issue would be addressed at the reserved matter stage of the application; it was also highlighted that Highways had raised no concerns or comments, but had recommended conditions relating to visibility splays along with the requirement for a Construction Management Plan.

John Wilby, resident, spoke in objection to the application.

Ian Wharton, applicant, spoke in support of the application.

The Committee felt that it would be appropriate to impose an additional condition to restrict construction/working hours in order to protect the amenity of neighbouring properties.

It was proposed and seconded that the application be approved.

RESOLVED:

To GRANT the application subject to the conditions set out in Section 15 of the report; and an additional condition relating to restricting working hours, in order to protect the amenity of neighbouring properties.

49.3 2018/0051/FULM - PARK FARM, MAIN STREET, SKIPWITH

Councillor Ian Reynolds did not take part in the debate or vote, as per his earlier declaration.

Application: 2018/0051/FULM

Location: Park Farm, Main Street, Skipwith, Selby.

Proposal: Erection of 14 dwellings with associated access, garages and parking.

The Principal Planning Officer presented the application which had been brought to Committee as the application was a departure from the Development Plan and there were material considerations which would support the recommendation for approval.

The Committee noted that the application was for the erection of 14 dwellings with associated access, garages and parking.

The Committee was informed that there was an existing planning consent in place which justified approval; it was confirmed that the current scheme was

also an improvement on the existing approval.

In relation to the officer update note, the Committee acknowledged that since the report had been written, officers had received an update on the issue of parking for disabled residents which had not been addressed by the applicant. The Committee was informed that the applicant had made two suggestions however the first had been rejected and the second suggestion had not been followed up by the applicant and the planning department had not been approached regarding the matter.

The Committee was informed that the following errors had been made in the report:

- The amount of units contained within the eastern parcel in the report as it should be 11 rather than 12.
- With reference to Policy SP9, Section C (sites below the threshold of 10 dwellings), the Committee was informed that it should refer to point B which refers to the threshold of above 10 dwellings where the Council would seek provision of up to 40% of Affordable Housing. It was confirmed that the scheme proposed 14% of affordable housing to be offered at 20% less than market value. The Principal Planning Officer explained that officers were of the view that the proposed scheme offered higher quality in terms of design and layout and on this basis, it was the officer's view that the same provision was held.

Jennifer Hubbard, agent, spoke in support of the application.

Members queried whether there was a time limit before the property could be re-sold. The Principal Planning Officer confirmed that the property would not be held in perpetuity, but it was something that could be addressed in the proposed section 106 agreement. In response to this, the view of the Committee was that it should be written into the agreement.

It was proposed and seconded that the application be approved.

RESOLVED:

To GRANT the application subject to the completion of a Section 106 agreement, and subject to the conditions set out at Section 15 of the report.

49.4 2018/0226/FUL - EAST END COTTAGE, MAIN STREET, THORGANBY

Application: 2018/0226/FUL

Location: East End Cottage, Main Street, Thorganby.

Proposal: Proposed demolition of existing dwellings, outbuildings and garages and the erection of 3 No. residential dwellings, garages and associated works and infrastructure (amendment to planning permission 2016/1029/FUL).

The Senior Planning Officer presented the application which had been brought back to Committee following consideration at the 6th June 2018 meeting, where Members had deferred the application in order for Officers to give further consideration to the application.

The Committee noted that the application was for the proposed demolition of existing dwellings, outbuildings and garages and the erection of 3 No. residential dwellings, garages and associated works and infrastructure (amendment to planning permission 2016/1029/FUL).

The Committee was informed that this item had been deferred from the June Committee as evidence had been received that some buildings had been demolished without planning permission being sought, it was confirmed that no further representations had been received from neighbouring properties since the June meeting.

Members noted that a condition relating to surface water drainage works referred to in the original report had been omitted from the conditions list; therefore an additional condition needed to be added as set out in the officer update note.

In response to a query regarding the Barn Owls, the Senior Planning Officer confirmed that the demolition of the outbuildings had not been done in strict accordance with the mitigation measures set out in Section 7 of the Bat Survey Report. However, following advice from the County Ecologist, an updated Ecological Survey Report in Relation to Barn Owls (reference: CE0550) undertaken by Curtis Ecology dated 12 December 2018 had been submitted. The County Ecologist was satisfied with the updated Barn Owl Report, subject to a condition requiring the development to be carried out in accordance with the mitigation measures set out within the updated report.

Killian Gallagher, agent, spoke in support of the application.

Members agreed that the design and layout of the site was as good as was previously approved; and therefore supported the officers recommendation.

It was proposed and seconded that the application be approved.

RESOLVED:

To GRANT the application subject to the conditions detailed in paragraph 6.0 of the report, and the additional condition set out in the Officer Update Note.

49.5 2018/0398/FUL - PARTRIDGE HILL FARM, OXMOOR LANE, CHURCH FENTON

Application: 2018/0398/FUL

Location: Partridge Hill Farm, Oxmoor Lane, Church Fenton.

Proposal: Proposed conversion of an agricultural barn building into a residential dwelling and necessary associated operational and remedial works including demolition of redundant agricultural buildings

The Principal Planning Officer presented the application which had been brought to Committee since it did not accord with development plan policy in that the proposed rear extension would involve extensive removal of existing lean-to structures. Since this was all to be within the existing footprint of the current developed area, it was considered that there were material considerations which support the application and the recommendation for approval.

The Committee noted that the application was for the proposed conversion of an agricultural barn building into a residential dwelling and necessary associated operational and remedial works including demolition of redundant agricultural buildings.

Adam Gibbons, agent, spoke in support of the application.

Members noted that at present the building was an eyesore, and would be happy to see it re-developed and brought back into use; while all within the original footprint.

It was proposed and seconded that the application be approved.

RESOLVED:

To GRANT the application subject to the conditions detailed in paragraph 6.0 of the report.

49.6 2018/0646/FUL - A19 CARAVAN STORAGE LIMITED, HAZEL OLD LANE, HENSALL

Councillor Dave Peart did not take part in the debate or vote, as per his earlier declaration.

Application: 2018/0646/FUL

Location: A19 Caravan Storage Limited, Hazel Old Lane, Hensall.

Proposal: Proposed erection of a two storey dwelling and detached double garage

The Principal Planning Officer presented the application which had been brought to Committee as the application was recommending approval contrary to Policy SP2 of the Core Strategy.

The Committee noted that the application was for the proposed erection of a two storey dwelling and detached double garage.

In relation to the officer update note, the Committee was informed that the applicants had confirmed that the site construction access and compound

would now be accessed through the existing gap in the bund to the north. Due to this, it was explained that the conditions as drafted could be amended to ensure that the commencement of development was not prevented by the need for the site access and site visibility to be provided.

The members were happy to support the officer's recommendation.

It was proposed and seconded that the application be approved.

RESOLVED:

To GRANT the application subject to the conditions detailed in paragraph 6.0 of the report, and the amendments contained within the officer update note.

49.7 2018/1111/FULM - DOVECOTE PARK, BANKWOOD ROAD, STAPLETON

Application: 2018/1111/FULM

Location: Dovecote Park, Bankwood Road, Stapleton.

Proposal: Proposed construction of an extension to the existing facility to provide a new burger production building.

The Principal Planning Officer presented the application which had been brought to Committee because it constituted inappropriate development within the Green Belt.

The Committee noted that the application was for the proposed construction of an extension to the existing facility to provide a new burger production building.

The Committee supported the officer's recommendations.

It was proposed and seconded that the application be approved.

RESOLVED:

- i) To be minded to APPROVE the application;**
- ii) To give authority to refer this application to the Secretary of State under the 2009 Consultation Direction with the indication that the authority is minded to approve it subject to the conditions set out in paragraph 7 of the report;**
- iii): To give the Planning Development Manager delegated authority in the event that the application is not called-in to approve this application in accordance with the conditions set out below and subject to any necessary changes to them subsequent to the Minister's decision, or**
- iv): In the event that the application is called-in a further report will come to Committee to outline the authority's case in**

support and the other and financial implications.

The meeting closed at 4.00 pm.