

## Planning Committee

Venue: Microsoft Teams - Remote  
Date: Wednesday, 28 October 2020  
Time: 2.00 pm

Present remotely via Teams: Councillor J Cattanach in the Chair

Councillors J Mackman (Vice-Chair), K Ellis, I Chilvers, R Packham, P Welch, D Mackay and S Shaw-Wright

Officers Present remotely via Teams: Martin Grainger – Head of Planning, Ruth Hardingham – Planning Development Manager, Glenn Sharpe – Solicitor, Gareth Stent – Principal Planning Officer, Jenny Tyreman – Senior Planning Officer, Rebecca Leggott – Senior Planning Officer, Victoria Foreman – Democratic Services Officer

### **36 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M Topping. Councillor T Grogan was in attendance as a substitute for Councillor Topping.

### **37 DISCLOSURES OF INTEREST**

Councillors J Cattanach, J Mackman, K Ellis, R Packham and S Shaw-Wright declared a non-pecuniary interest in agenda item 5.3 – 2020/0828/S73 – Quarry Drop, Westfield Lane, South Milford, Leeds as they had received a number of additional representations in relation to the application.

Councillor T Grogan declared a non-pecuniary interest in agenda item 5.3 – 2020/0828/S73 – Quarry Drop, Westfield Lane, South Milford, Leeds as he too had received additional representations in relation to the application, including a phone call with the applicant's wife and with neighbours objecting to the scheme. He also declared that he was the Ward Member for South Milford and a member of South Milford Parish Council. He confirmed that when the Parish Council had discussed the application, he had taken no part in the debate, and had come to the meeting of the Planning Committee with an open mind and with no predetermination in relation to the scheme.

### **38 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE**

The Committee noted that an Officer Update Note had been circulated and that the order of business on the agenda had been amended by the Chair so that agenda item 5.4 -2017/0872/FUL – Land at Wharfe Bank, Tadcaster would be considered first.

Members also noted that details of any further representations received on the applications would be given by the Officers in their presentations.

Lastly, the Chair announced that public speaking had been reintroduced at Planning Committee and that this was the second meeting at which it would take place remotely.

### **39 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 7 October 2020.

#### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 7 October 2020 for signing by the Chairman, subject to the following amendments:**

- a) minute item 35.1 – that the resolution be amended to read as follows:**

#### **RESOLVED:**

***Minded to GRANT the application subject to the conditions set out at paragraph 7 of the report and the Officer Update Note, and to the agreement of access arrangements to Little Black Dog Brewery.***

- b) minute item 32 – that the disclosure of interest for Councillors J Cattanach, J Mackman and I Chilvers be amended to read as follows:**

***Councillors J Cattanach, J Mackman and I Chilvers declared a personal interest in agenda item 5.2 – Model Farm, Broad Lane, Cawood as they were all members of the Selby Area Internal Drainage Board and as such would leave the meeting and not take any part in the debate for this item.***

### **40 PLANNING APPLICATIONS RECEIVED**

The Planning Committee considered the following planning applications:

**40.1 2017/0872/FUL - LAND AT WHARFE BANK, TADCASTER**

*Councillors P Welch and D Mackay joined the meeting at this point.*

**Application:** 2017/0872/FUL

**Location:** Land at Wharfedale Bank, Tadcaster

**Proposal:** Proposed installation of a recreational raised seating area over the existing temporary bridge foundation to be retained

The Planning Development Manager introduced the application for the proposed installation of a recreational raised seating area over the existing temporary bridge foundation to be retained.

The Committee noted that a request that the item be deferred had been received from the applicant due to the report's recommendation that permission be refused. Members were asked to decide if they wished to agree deferral of the application to a later meeting.

It was proposed and seconded that consideration of the application be deferred; a vote was taken on the proposal and was carried.

**RESOLVED:**

**To DEFER consideration of the application to a later meeting.**

**40.2 2018/1214/HPA - WATERSIDE PARK, OAKWOOD PARK, MARKET WEIGHTON ROAD, NORTH DUFFIELD**

**Application:** 2018/1214/HPA

**Location:** Waterside Park, Oakwood Park, Market Weighton Road, North Duffield

**Proposal:** Application for the erection of a detached games room, detached garage and extension to an integral "granny flat" annexe (Retrospective)

The Principal Planning Officer presented the application which had been brought before Planning Committee as it had been requested by former Councillor J Deans in 2018, who considered Members should wish to consider whether the application was a gross overdevelopment of the site, contrary to the Development Plan, constituted inappropriate development outside of the development limits and had a detrimental impact on the openness of the countryside.

The Committee noted that the application was for a retrospective erection of a detached games room, detached garage and extension to an integral "granny flat" annexe.

*Councillor I Chilvers joined the meeting at this point, but as part of the presentation had been missed by him, he could not take part in the debate or decision on the item.*

An Officer Update Note had been circulated to the Committee which set out corrections to the history section of the report, and an amendment to paragraph 5.29 of the report regarding the impact of the games room on the amenities of neighbouring residential properties.

Jennifer Hubbard, agent, was invited remotely into the meeting and spoke in support of the application.

The Committee discussed the application and agreed that the scheme should be granted.

It was proposed and seconded that the application be granted subject to conditions; a vote was taken on the proposal and was carried.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report.**

**40.3 2019/1216/COU - LAND OFF WESTFIELD LANE, THORGANBY, YORK**

**Application:** 2019/1216/COU

**Location:** Land Off Westfield Lane, Thorganby, York

**Proposal:** Change of use of land to form a 12-pitch touring caravan site including the siting of shower and toilet facilities, new internal access track and associated works

The Senior Planning Officer presented the application which had been brought before Planning Committee as directed by the Head of Planning, due to the sensitive consideration of the level of objection.

The Committee noted that the application was for the change of use of land to form a 12-pitch touring caravan site including the siting of shower and toilet facilities, new internal access track and associated works.

*Councillor K Ellis left the meeting at this point but returned shortly.*

An Officer Update Note had been circulated to the Committee which set out an amendment to Condition 10 and details of additional information provided by the applicant which included reviews for the existing campsite. The additional information was not considered by Officers to alter the assessment made.

The Senior Planning Officer informed Members that Thorganby Parish Council had been in contact to raise a concern that they had not been notified that the application was to be considered at the meeting of the Planning Committee on 28 October 2020, and that had they been, they would have registered to speak.

The Chair asked for clarification from the Solicitor who stated that, as far as Officers were aware, there had been no fault in the notification processes, but that it was for Members to decide whether the application should continue to be considered, or deferred. The Committee also noted that there was a responsibility of the Council to the applicant to process the application in a timely manner.

Members discussed the matter and agreed that the application should be deferred until a later date to ensure that all contributors had been notified. It was proposed and seconded that the application be deferred for consideration at a later meeting; a vote was taken on the proposal and was carried.

**RESOLVED:**

**To DEFER the application for consideration at a later meeting.**

**40.4 2020/0828/S73 - QUARRY DROP, WESTFIELD LANE, SOUTH MILFORD, LEEDS**

**Application:** 2020/0828/S73

**Location:** Quarry Drop, Westfield Lane, South Milford, Leeds

**Proposal:** Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house

The Senior Planning Officer presented the application

which had been brought before Planning Committee following consideration at the meeting on 23 September 2020, where Members had resolved to defer the application in order for Officers to gather further visual information.

The Committee noted that the application was a Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house.

An Officer Update Note had been circulated to the Committee which set out several points, including the details of five additional letters of representation that had been received. The additional representations had been fully considered by Officers but did not alter the Officer recommendation set out in the agenda, for the reasons set out in the report. Since the Officer's report had been written, the applicant had submitted a 'Statement to Planning Committee', which had been circulated to Members and raised several matters. The objector registered to speak at the meeting had circulated his narrative to the Members ahead of the meeting as it included a number of photographs which could not be shown at the meeting. Lastly, the Committee noted that in relation to paragraph 5.33 of the report there was an update regarding boundary treatments.

Members asked a number of questions of the Officer about the application regarding whether it was a minor material amendment, the classification as a Section 73 application, origins of the letters of objection and support, non-compliance, enforcement action, ridge height and separation distance and the potential effect on the residential amenity of neighbouring properties.

Mr Steve Barker, objector, was invited remotely into the meeting and spoke against the application.

The Committee discussed the application and offered differing opinions as to what decision should be taken. Some Members felt that the application should be refused, whilst others were of the opinion that, despite the several applications, appeals and issues that there had been on the site, the Committee needed to be mindful of the certificate of lawful development that gave permission for the building of a three storey, five bedroom house. Officers believed the amendments to the design of the dwelling under the current application would have an acceptable effect on the residential

amenity of neighbouring properties.

It was proposed and seconded that the recommendation in the report be amended to refuse permission for the application, due to the creation of the raised amenity area, extending the height of the house by 12.5ft, which would have a significant adverse impact on the character and appearance of the area and the residential amenity of neighbouring properties in terms of height and scale. A vote was taken on the proposal and was lost.

It was proposed and seconded that the application be granted, subject to the conditions set out in the report; a vote was taken on the proposal and was carried.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report.**

The meeting closed at 3.41 pm.