



## Minutes

### Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 7 November 2018
Time:	2.00 pm
Present:	Councillor J Cattanach in the Chair  Councillors D Peart (Vice-Chair), J Deans, R Musgrave, R Packham and P Welch
Officers Present:	Ruth Hardingham, Planning Development Manager, Yvonne Naylor, Principal Planning Officer, Jenny Tyreman, Senior Planning Officer, Sarah Morton, Solicitor and Victoria Foreman, Democratic Services Officer
Press:	0
Public:	5

#### **26 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors L Casling, I Chilvers and D White.

Councillor D Buckle was in attendance as a substitute for Councillor L Casling.

#### **27 DISCLOSURES OF INTEREST**

Councillor R Musgrave explained that whilst he did not wish to formally declare an interest in agenda item 6.2 – Roebuck Barracks, Green Lane, Appleton Roebuck, in the name of transparency he felt it was appropriate to state that he was Ward Member for Appleton Roebuck and had had discussions with both the applicant and the objectors. Councillor Musgrave confirmed that he would be keeping an open mind until the point of decision.

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

The Chairman informed the Committee that an officer update note had been circulated.

The Committee noted that agenda item 6.1 – Ibbotsons, Mill Hill, Braegate, Colton, Tadcaster had been deferred as late representations had been received that Officers needed more time to give proper consideration to.

## **29 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.**

## **30 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 10 October 2018.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 10 October 2018 for signing by the Chairman.**

## **31 PLANNING APPLICATIONS RECEIVED**

The Committee considered the following applications:

### **31.1 2018/0270/OUTM - ROEBUCK BARRACKS, GREEN LANE, APPLETON ROEBUCK**

**Application:** 2017/0270/OUTM

**Location:** Roebucks Barracks, Green Lane, Appleton Roebuck

**Proposal:** Outline application for the proposed demolition of buildings and the erection of five dwellings (Class C3) and access (all other matters reserved).

The Principal Planning Officer presented the application which had been brought before Planning Committee as 10 letters of representation had been received in support of the application and Officers would otherwise determine the application contrary to these representations.

The Committee noted that the application was an outline application for the proposed demolition of buildings and the erection of five dwellings (Class C3) and access (all other matters reserved).

Members queried with Officers the potential reduction in

built form on the site, vehicle movements relating to the site, the origins of the letters of support for the application and the ecology issues raised in the report.

Mr Tim Evans, applicant, spoke in support of the application.

Members agreed that consistency of advice from Officers in relation to the application was essential; this consistency had been maintained over the years that various applications had been submitted for the site. The Committee agreed that no special circumstances had been demonstrated by the applicants to warrant approval of the scheme and subsequent development on the green belt.

It was proposed and seconded that the application be refused.

**RESOLVED:**

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

**31.2 2018/0852/FUL - 1 RAILWAY COTTAGES, HILLAM LANE, BURTON SALMON, LEEDS**

**Application:** 2018/0852/FUL

**Location:** 1 Railway Cottages, Hillam Lane, Burton Salmon, Leeds

**Proposal:** Retrospective application for the demolition of a two storey end of terrace dwelling and the construction of a two storey end of terrace dwelling on the footprint of existing dwelling, as extended by planning permission ref. 2018/0205/HPA

The Senior Planning Officer presented the application which had been brought before Planning Committee as it was a departure from the Development Plan, but there were material considerations which Officers considered would justify approval of the application.

The Committee noted that the application was a retrospective application for the demolition of a two story end of terrace dwelling and the construction of a two storey end of terrace dwelling on the footprint of existing dwelling, as extended by planning permission ref 2018/0205/HPA.

In relation to the officer update note, the Committee

acknowledged that since the report had been written, Officers had considered it reasonable and necessary to attach a condition relating to hours of construction in the interests of the amenities of the adjacent properties, as follows:

“No construction works shall take place on site outside the hours of 8am-6pm Monday to Friday, 9am to 1pm Saturday, or at all on Sundays and Bank Holidays.

Reason: In interests of the amenities of the adjacent properties and having had regard to Policy ENV1 of the Selby District Local Plan.”

Members also noted that the application had been advertised for 21 days as a Departure from the Development Plan and the consultation period did not expire until 15 November 2018. Therefore, the recommendation of the application, as set out in paragraph 6.0 of the report, was amended to ask Members to take a ‘minded to’ decision for approval and to give Officers delegated authority to determine the application after the 21 day consultation period had expired, providing no new issues arose as a result of the consultation. If new issues did arise, the application would be brought back to the Committee.

Members queried the footprint of the new building and whether it would align with the building that had been demolished but also included the previously permitted extension; Officers confirmed that it would.

Mr David Jones, agent, spoke in support of the application.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**The Committee were minded to APPROVE the application subject to the conditions set out in paragraph 6 of the report and the additional condition relating to hours of construction as set out in the Officer Update Note, and delegated authority to Officers to determine the application after the 21 day consultation period had expired, provided no new issues arose as a result of the consultation; if any new**

issues arose as a result of the consultation, the application would be brought back before Planning Committee.

**31.3 REQUEST FOR A DEED OF VARIATION TO SECTION 106 AGREEMENT SEEKING THE PAYMENT OF A COMMUTED SUM TO BE USED TOWARDS THE PROVISION OF A CHILDREN'S PLAY AREA ELSEWHERE IN HAMBLETON IN LIEU OF THE PROVISION OF A CHILDREN'S PLAY AREA AND PLAY EQUIPMENT ON THE LAND IN RESPECT OF PLANNING APPROVAL 2005/0876/FUL FOR RESIDENTIAL DEVELOPMENT COMPRISING OF 89 (2 STOREY AND 2 1/2 STOREY) DWELLINGS AND ASSOCIATED WORKS ON 2.3 HA OF LAND, FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON LAND OFF STATION ROAD**

**Application:** 2018/1116/DOV

**Location:** Station Road, Hambleton

**Proposal:** Request for a Deed of Variation to Section 106 agreement seeking the payment of a commuted sum to be used towards the provision of a children's play area elsewhere in Hambleton in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL for residential development comprising of 89 (2 storey and 2 ½ storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road.

The Senior Planning Officer presented the application which had been brought before Planning Committee for consideration due to it being a proposal to amend the recreational open space provision agreed by Members in 2005.

The Committee noted that the application was a request for a Deed of Variation to the Section 106 agreement seeking payment of a commuted sum to be used towards the provision of a children's play area elsewhere in Hambleton in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL for residential development comprising of 89 (2 storey and 2 ½ storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road.

In relation to the officer update note, the Committee acknowledged that since the report had been written, the amount of the commuted sum had been agreed between Officers and the applicant to be £33,737. This was in accordance with the calculations set out in the Developer Contributions Supplementary Planning Document.

Members queried where the money would be spent if not at the original site; Officers explained that the Ward Member and local Parish Council were supportive of the scheme and had indicated that they had another play area in mind which required enhancement that the commuted sum could be spent on.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the request for a Deed of Variation and delegate authority to Officers to complete a Deed of Variation to the original Section 106 agreement to allow the payment of a commuted sum to be used towards the provision of a children's play area and play equipment elsewhere in Hambleton in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL. This variation shall be time limited for a period of 3 years from the date of the decision.**

The meeting closed at 2.42 pm.