

# Minutes

## Planning Committee

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Venue:	Council Chamber
Date:	Wednesday 10 January 2018
Time:	2.00pm
Present:	Councillors D Peart (Vice Chair in the Chair), Mrs E Casling, I Chilvers, R Packham, D Peart, I Reynolds, P Welch and Mrs D White.
Officers present:	Kelly Dawson, Senior Solicitor, Phil Crabtree, Interim Head of Planning; Diane Wilson, Planning Officer (for minute item 51.6); Louise Milnes, Principal Planning Officer (for minute item 51.1); Jenny Tyreman, Senior Planning Officer (for minute items 51.2, 51.4 and 51.5), Yvonne Naylor, Principal Planning Officer (for minute items 51.7 and 51.8), Fiona Ellwood, Principal Planning Officer (for minute item 51.3) and Victoria Foreman, Democratic Services Officer
Public:	11
Press:	0

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### **45. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Cattanach, M Jordan and C Pearson.

Councillor I Reynolds was in attendance as a substitute for Councillor J Cattanach and Councillor Mrs D White was in attendance as a substitute for Councillor C Pearson.

### **46. DISCLOSURES OF INTEREST**

Councillor I Reynolds declared a non-pecuniary interest in relation to applications 2016/0673/FUL and 2016/0675/LBC – Windmill, Old Road, Appleton Roebuck, as he was a Managing Partner at Stephenson's, whose auctioneers had previously marketed the site. Councillor Reynolds confirmed that he had no involvement with the marketing of the sites, and as such had no financial interests in relation to the

applications, but would not take part in the debate or vote on the decision for these applications.

Councillor J Deans declared a non-pecuniary interest in application 2017/0411/FUL – Land South of Chapel View, Marsh Lane, Bolton Percy as he was the former Clerk to Kelfield Parish Council. Councillor Deans explained that comments had been submitted on behalf of the Parish Council in his name, in his capacity as an employee of the Parish, but did not reflect any personal views on the application as a member of the Planning Committee.

#### **47. CHAIR’S ADDRESS TO THE PLANNING COMMITTEE**

The Chairman informed the Committee that application 2016/1322/OUTM – Colton Lane, Appleton Roebuck had been withdrawn from the agenda and would not be considered at the meeting.

The Committee noted that the order of the agenda had been adjusted to reflect the number of public speakers registered in relation to each application. The order of business would therefore be as follows:

1. 2016/1337/OUTM – School Road, Hemingbrough
2. 2017/0701/OUT – Yew Tree House, Main Street, Kelfield, York
3. 2017/0411/FUL – Land South of Chapel View, Marsh Lane, Bolton Percy
4. 2017/0312/OUT – Land East of Richardson Court, Hambleton, Selby
5. 2017/0886/FUL – Villino, 3 Lakeside Mews, Riccall Lane, Kelfield
6. 2017/0919/FUL – Old Street Farm, Moor Lane, Catterton, Tadcaster
7. 2016/0673/FUL – Windmill, Old Road, Appleton Roebuck
8. 2016/0675/LBC – Windmill, Old Road, Appleton Roebuck

The Chairman also advised the Committee that an update note had been circulated by officers.

#### **48. 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.**

#### **49. MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 6 December 2017.

#### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 6 December 2017 for signing by the Chairman.**

## **50. REASONS FOR PLANNING DECISIONS**

The Interim Head of Planning presented the report and asked the Committee to note the content of the report and agree the working protocol set out in paragraph 2.6, pending the update to the Code of Practice for Dealing with Planning Matters.

The Committee felt they required more information regarding the proposed changes to the Code of Practice and the formulation of reasons for refusal, and as such did not feel in a position to take a decision on the matter at the meeting.

Members requested a short training session immediately before the next meeting of the Committee on 7 February 2018.

It was proposed and seconded that consideration of the report be deferred for consideration by the Committee.

### **RESOLVED:**

- 1. To DEFER consideration of the report until the next meeting of the Committee on 7 February 2018.**
- 2. To ask Officers to arrange a short training session before the next meeting on 7 February 2018, at which Members would be given more information about the implications of the proposed changes to the Code of Practice and formulation of reasons for refusal.**

## **51. PLANNING APPLICATIONS RECEIVED**

The Committee considered the following planning applications:

### **51.1 Application: 2016/1337/OUTM**

**Location: School Road, Hemingbrough, Selby**

**Proposal: Outline application for residential development of up to 21 dwellings (with all matters reserved) on land to the east of School Road, Hemingbrough**

The Principal Planning Officer presented the application that had been brought back before the Committee following consideration at 14 June 2017 meeting, where Members resolved to support the Officer recommendation to grant planning permission subject to the signing of a s106 agreement.

The permission was not issued prior to the confirmation of the Council's 5 Year Housing Land Supply position, which was endorsed on 24 July 2017, and is as set out in the 2017-2022 Five Year Housing Land Supply Statement. Subsequent to this on 15 November 2017, the Director of Economic Regeneration and Place at Selby District Council formally endorsed an updated Five Year Housing Land Supply Methodology, as set out in the 2017-2022 Five Year Housing Land Supply Statement – 20 September Update.

As such, the Committee were asked to reconsider the application in light of this material change.

The Committee was informed that the application was an outline application for residential development of up to 21 dwellings (with all matters reserved) on land to the east of School Road, Hemingbrough.

In reference to the officer update note, the Planning Officer explained that the agent had submitted comments in respect of the Committee report, and as such Members had been provided with points of clarity on the comments.

Jan Strelczenie, Chair of Hemingbrough Parish Council spoke in objection to the application.

Craig Stockley, agent, spoke in support of the application.

Some Councillors expressed reservations about the Officer's recommendation for refusal, but acknowledged the impact of the Council's 5 Year Housing Land Supply and the subsequent changes this had to material considerations of the application.

It was proposed and seconded that the application be refused for the reasons set out in paragraph 6.0 and the Officer Update.

**RESOLVED:**

**To REFUSE the application for reasons set out in paragraph 6.0 of the report and the Officer Update.**

**51.2 Application: 2017/0701/OUT**

**Location: Yew Tree House, Main Street, Kelfield**

**Proposal: Outline application for demolition of garage, farm buildings and glasshouse and erection of residential development (all matters reserved)**

The Senior Planning Officer presented the application that had been brought before the Committee as it had been called in by Councillor Mrs E Casling on the following grounds:

- The development would improve the visual appearance of Main Street at this point by filling in a large untidy gap and filling the street line with new and sympathetically designed properties.
- The proposal would provide economic, social and environmental benefits to the settlement in accordance with paragraph 7 of the NPPF.

In addition, more than 10 letters of representation have been received which raised material planning considerations, and Officers would otherwise determine the application contrary to these representations.

The Committee was informed that the application was for outline permission on a site which included a garage, farm building and a former house, and was for the erection of residential development (all matters reserved).

The Committee noted that the scheme before Members was the resubmission of a previously refused scheme; the latest application was for a smaller site area. The appeal on the prior refusal was to be considered by the Planning Inspector the following week.

In reference to the officer update note, the Planning Officer explained that a further letter of objection had been received with concerns raised in respect of the principle of the proposed development outside the development limits of a secondary village, which was not sustainable.

Melissa Madge, agent, spoke in support of the application.

The Committee discussed the issues around development outside development limits, and felt that the proposed scheme was sympathetic to the local area and would be an improvement to what was currently an untidy site.

Members were of the opinion that the applicant should be given the opportunity to continue to work with Officers to redesign the scheme, with a view to resubmitting a revised application that was more acceptable to the site boundaries, took account of any permitted development rights relating to former agricultural buildings and development limits.

It was proposed and seconded that the application be deferred.

**RESOLVED:**

**To DEFER the application in order to give the applicant the opportunity to work with Officers to submit a revised plan more acceptable to the site boundaries and development limits.**

**51.3 Application: 2017/0411/FUL**

**Location: Land South Of, Chapel View, Marsh Lane, Bolton Percy**

**Proposal: Erection of three dwellings**

The Planning Officer presented the application that had been brought before the Committee due to the number of letters of representation in support of the scheme contrary to the recommendation for refusal.

The Committee was informed that the application was for the erection of three dwellings.

In reference to the officer update note, the Planning Officer explained that further comments and consultation responses had been received from NYCC Ecology and Bolton Percy Parish Council.

David Tomlinson, applicant, spoke in support of the application. A series of photographs had been circulated at the meeting to the Committee on behalf of the applicant.

The Committee felt that the context of the development, on a greenfield site and in relation to the current settlement, was not appropriate.

It was proposed and seconded that the application be refused.

**RESOLVED:**

**To REFUSE the application for reasons set out in paragraph 6.0 of the report.**

**51.4 Application: 2017/0312/OUT**

**Location: Land East of Richardson Court, Hambleton, Selby**

**Proposal: Outline application for residential development with all matters reserved**

The Senior Planning Officer presented the application that had been brought before the Committee as Officers considered that although the proposal is contrary to the provisions of the Development Plan there are material considerations which would justify approving the application.

The Committee was informed that the application was for outline permission for residential development with all matters reserved.

The Committee noted that whilst the application site was immediately adjacent to development limits the scheme would not be visually prominent. Members also acknowledged the need for bungalows in the District to house an aging population.

Melissa Madge, agent, spoke in support of the application.

Councillors expressed their support for the scheme and for the use of bungalows on the site.

It was proposed and seconded that the application be approved subject to conditions.

**RESOLVED:**

**To APPROVE the application subject to the conditions set out in paragraph 6.0 of the report.**

**51.5 Application: 2017/0886/FUL**

**Location: Villino, 3 Lakeside Mews, Riccall Lane, Kelfield**

**Proposal: Proposed conversion of existing outbuilding to a dwelling (Use Class C3)**

The Senior Planning Officer presented the application that had been brought before the Committee as the proposal was contrary to Criterion 1 of Policy H12 of the Selby Local Plan, but there were material considerations which would justify approving the application.

The Committee was informed that the application was for the conversion of an existing outbuilding to a dwelling (Use Class C3).

The Committee noted that there had been no letters of representation received on the application.

Melissa Madge, agent, spoke in support of the application.

It was proposed and seconded that the application be approved subject to conditions.

**RESOLVED:**

**To APPROVE the application subject to the conditions set out in paragraph 6.0 of the report.**

**51.6 Application: 2017/0919/FUL**

**Location: Old Street Farm, Moor Lane, Catterton, Tadcaster**

**Proposal: Proposed conversion of existing barn to create 1 no. dwelling**

The Planning Officer presented the application that had been brought before the Committee as Officers considered that although the proposal was contrary to Criterion 1 of Policy H12 of the Local Plan, there were material considerations that would justify approving the application.

The Committee was informed that the application was for the proposed conversion of an existing barn to create 1 no. dwelling.

The Committee noted that the other barn conversions on the site had all been given approval for development from agricultural use to residential dwellings.

Melissa Madge, agent, spoke in support of the application.

The Committee expressed concern as to the condition of the track leading to the site, and agreed that an additional condition relating to the resurfacing of the road as part of the development should be included.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to conditions set out in paragraph 6.0 of the report and an additional condition that the road to the site be resurfaced as part of the development.**

**51.7 Application: 2016/0673/FUL**

**Location: Windmill, Old Road, Appleton Roebuck**

**Proposal: Proposed conversion of windmill to form a dwelling with new extension**

The Principal Planning Officer presented the application that had been brought before the Committee as Officers considered that although the proposal was contrary to Criterion 1 of Policy H12 of the Local Plan, there were material considerations which would justify approving the application. Members noted that an associated Listed Building Application was also being considered at the meeting under reference 2016/0675/LBC.

The Committee was informed that the application was for the proposed conversion of a windmill to form a dwelling with a new extension.

The Committee noted that there had been a previous planning permission granted for use as a holiday cottage, but work on this had not commenced.

Members noted that the scheme was considered to be appropriate and that objections were not considered to be sufficient to warrant refusal.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to conditions set out in paragraph 6.0 of the report.**

**51.8 Application: 2016/0675/LBC**

**Location: Windmill, Old Road, Appleton Roebuck**

**Proposal: Listed building consent for the proposed conversion of windmill to form a dwelling with new extension**

The Principal Planning Officer presented the application that had been brought before the Committee as it was the Listed Building application that accompanied application 2016/0675/FUL – Windmill, Old Road, Appleton Roebuck which was also being heard at the Planning Committee meeting; it was good practice to consider both applications together.

The Committee was informed that the application was for listed building consent for the proposed conversion of a windmill to form a dwelling with a new extension.

The Committee noted that the windmill was a Grade II listed structure supported by a heritage statement, and that the proposed scheme (designed with Historic England) was considered to be acceptable with the proposed conditions attached.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to conditions set out in paragraph 6.0 of the report.**

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The meeting closed at 4.20pm.