

## NORTH AND EAST PLANS PANEL

THURSDAY, 29TH FEBRUARY, 2024

**PRESENT:** Councillor J Akhtar in the Chair

Councillors B Anderson, J Heselwood,  
D Jenkins, R Jones, N Sharpe,  
R. Stephenson and C Gruen

### 73 **Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

### 74 **Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

### 75 **Late Items**

There were no late items.

### 76 **Declaration of Interests**

Agenda Item 7 – Retrospective planning application for use of land for residential purposes including the siting of one static caravan and one touring caravan on land at Sandgate Stables, Sandgate Terrace, Kippax.

Cllr Stephenson informed the Panel that a family friend had spoken in objection to the application when it was previously heard at Plans Panel on 27th July 2023. As he had at all previous meetings where the application was considered, Cllr Stephenson again declared the interest but confirmed that he was approaching the application and decision-making on the matter with an open mind.

### 77 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors McKenna and Millar. Councillor Gruen attended the meeting as Councillor McKenna's substitute.

### 78 **Minutes - 1st February 2024**

**RESOLVED** – That the minutes of the meeting held on 1<sup>st</sup> February 2024, be approved as a correct record.

### 79 **22/04416/FU - Retrospective planning application for use of land for residential purposes including the siting of one static caravan and one touring caravan on land at Sandgate Stables, Sandgate Terrace, Kippax**

The report of the Chief Planning Officer set out suggested reasons for refusal for Members consideration on the retrospective planning application for use of land for residential purposes including the siting of one static caravan and one touring caravan on land at Sandgate Stables, Sandgate Terrace, Kippax.

The Area Planning Group Manager presented the report providing Members with the following information:

- This application had been presented on two previous occasions to Plans Panel on 27<sup>th</sup> July 2023 and 1<sup>st</sup> February 2024, where officers had recommended approval of the proposal, subject to conditions. However, at the meeting on 1<sup>st</sup> February 2024, Members had resolved not to accept the officer recommendation and expressed concern in relation to the loss of land and the impact upon the protected Local Green Space and the loss of a valuable local resource.
- The reasons for refusal set out in the submitted report had been worded to reflect and summarise the concerns of the Members raised at the previous Plans Panel meetings, and which provided the basis for Members' decision to move for refusal of the application.
- The reasons for refusal outlined in the submitted report were subject to one minor amendment of Reason No. 2 – with removal of the wording “the designation of which is recognised as giving protection consistent with the protection afforded to Green Belt”.
- The Panel were advised that officers had reviewed recent appeal decisions to inform Members of how the Planning Inspectorate had determined appeals relating to broadly similar applications over the last two years. The summaries provided related mostly to Green Belt sites, with one summary relating to Local Green Space.
- Members were to note that – in terms of general trends – Inspectors had placed significant weight on unmet need, lack of a 5-year supply, personal circumstances, and the best interests of the children where relevant. It was acknowledged that these matters are relevant and carry significant weight in the decision-making process and this was in accordance with relevant planning policy. However, it was recognised that each case was different and had been decided on its own individual circumstances and merits. Nonetheless, the summaries could provide some comfort to Members that their decision-making had taken into account similar considerations and undertaken a similar balancing and weighting of the material planning considerations, as decision-making from the Planning Inspectorate in this regard.
- Additional background information had been provided at Paragraph 11 of the submitted report from the Leeds Gate and the applicant's agent following the Plans Panel meeting on 1<sup>st</sup> February 2024. This related to the applicant's occupation of a pitch at Cottingley Springs and why they had chosen to leave the pitch. It was the view that this information contradicted previous information. In any event, Members were reminded that this was contextual information and that other factors carried more weight.

The Panel asked if the reasons set out in the submitted reports were the only parts that the applicant could appeal to the Planning Inspectorate. It was acknowledged that the Panel had also had lengthy discussions about other matters such as the pitch on Cottingley Springs site, which the applicant had chosen to leave. The Panel were provided with the following information:

- The reasons for the refusal would form the basis for the appeal and be the focus. However, the Inspector would have to have regard to all matters to ensure that all material decisions were considered in his / her subsequent decision-making (if the situation arises). The reasons set out in the submitted report go to the heart of the planning aspects of this application.
- On the first reason for refusal under Local Green Space and the Neighbourhood Plan designation, it is noted that there is a lack of supply for deliverable sites. It was noted that this is a significant material planning consideration, but it was the view of the Panel that the Local Green Space designation outweighed this factor, and this had been addressed. It was recognised that this could form part of the applicant's case if they decided to appeal.

**RESOLVED** – To note and agree the reasons for refusal as set out in the submitted report, subject to the amendments to reason 2, as such confirming the Members previous decision to move against the Officer's recommendation and refuse the application with these reasons being those to substantiate the refusal.

## **80 Date and Time of Next Meeting**

**RESOLVED** – To note the next meeting of North and East Plans Panel will be on Thursday 28<sup>th</sup> March 2024, at 1.30pm.

*The meeting concluded at 13:44*