

NORTH AND EAST PLANS PANEL

THURSDAY, 14TH OCTOBER, 2021

PRESENT: Councillor C Gruen in the Chair

Councillors E Nash, N Sharpe, M Midgley,
B Anderson, E Flint, A Lamb, P Carlill and
D Cohen

SITE VISITS

Cllrs Anderson and Flint attended a site visit on 12th October.

Cllrs Gruen, Sharpe and Midgley attended a site visit on 14th October, prior to the meeting.

27 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

28 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

29 Late Items

There were no late items.

30 Declaration of Interests

No declarations of interests were made at the meeting.

31 Apologies for Absence

Apologies were received from Cllrs Almass and Stephenson.

Cllr Carlill attended as a substitute for Cllr Almass and Cllr Cohen attended as substitute for Cllr Stephenson.

32 Minutes - 22nd July 2021

RESOLVED – That the minutes of the meeting held on 22nd July 2021, be approved as a correct record.

33 18/06114/FU - One new agricultural worker's dwelling with attached garage at Land to the North of Trip Lane, Linton, Wetherby.

With reference to the meeting of 27th May 2021, when Members deferred consideration of this item to allow officers to seek further information and advice on various aspects of the proposal.

The Chief Planning Officer has now submitted a further report which provided the responses of the applicant in respect of the re-development proposals on the site of the existing farmhouse in Collingham and additional queries raised by Members with regards to the proposal at Trip Lane.

Members had attended site visits on 12th October and on the morning of the meeting.

Photographs, slides and video footage were viewed during the presentation.

Members were informed of the following points:

- It was noted that an error had been made at Paragraph 17 of the report in relation to planning history. Members were asked to disregard the fourth bullet point – H31/249/74/ - Outline application to erect detached dwelling house, two workmen's cottages, fodder store, loose boxes and ancillary (Refused- 1974) as it did not relate to the application site but had been picked up by the system in error.
- Since the publication of the Plans Panel agenda, an email had been received from the applicant which was read out to the Panel.
- Members viewed a video which had been sent in by the applicant. The video showed a tractor and trailer being reversed out of the yard at Lilac Farm on to the main road. Submission and viewing of the video had been agreed to in advance at the Chair's discretion.
- The proposal was for a 4 bedroomed dwelling with attached garage to be built on land owned by the applicant. It was noted that the dwelling would have solar panels to the front of the dwelling with garden space also to the front.
- The application site is located on Trip Lane, Linton which is a cul-de-sac with a health spa located at the end and surrounded by agricultural fields. The application site currently has existing agricultural buildings, and the proposed dwelling would share access with these existing buildings.
- Members were advised that the site is located within Green Belt and, as such, any development on the site is to be regarded as inappropriate development. It is therefore necessary for the applicant to establish that very special circumstances exist, such that the harm by undertaking such inappropriate development is outweighed. For instance, very special circumstances could exist if the type of farming required twenty-four hour care of livestock or perishable produce. This had not been proved to be the case.
- Officers had discussed the additional information requested by Members with regards to the proposals for the site of the existing farmhouse in Collingham and the response from the agent was set out at Paragraph 4 of the submitted report.
- Officers had also considered Members request for information on the granting of planning permission for similar proposals (that is, agricultural worker dwellings within the Green Belt). Detail of this had been provided to Members at Paragraph 6 of the submitted report, but an overview was provided by the Planning Officer.
- It was acknowledged that there was sympathy towards the applicant. However, officers had looked at the application in relation to planning policy. It was noted that the applicant had not proved any case as to the existence of very special circumstances, such as to outweigh what would otherwise be regarded as inappropriate development.

The Chair informed the meeting that extensive discussion had been had at the meeting in May and all additional questions had been discussed with the applicant. At this meeting there were therefore no representations from the applicant, however the applicant was in attendance and they were welcomed.

Officers responded to Members questions providing the following information:

- The video footage had been filmed on a Saturday morning at 11:00am.
- The applicant currently lives at a tenanted farm, known as Lilac Farm. The land on which the applicant is proposing to build is within their ownership. They already have agricultural buildings on the land that they own.
- Advice had been taken from the Agricultural Surveyor regarding the arguments proposed by the applicant to suggest very special circumstances existed. However, this was a high threshold established in national policy and guidance. In this regard, it was noted that Paragraphs 35-41 of the submitted report provided clarity on planning policy in relation to the building of farm dwellings in the Green Belt as set out in the National Planning Policy Framework 2021 and Planning Practice Guidance.
- There was no evidence that the tenanted dwelling would be lost in the short term. It was acknowledged that the current landowners of Lilac Farm had emailed to advise officers that they were waiting for vacant possession before making any decisions on future use of the land.
- It was acknowledged that the applicant had highlighted security of expensive machinery at the proposed site as being a current concern, with benefits to be gained if they could be close to the machinery once a dwelling was constructed if the proposal received permission. However, it was noted that inspectors at appeal would generally place security of machinery as a low priority and something that can be dealt with by other means. This is such that it is not to be regarded as an insurmountable problem, such that necessitates permitting development in the Green Belt.
- It was noted that, due to the applicant having landholdings at a number of other locations (including Lilac Farm and in York), even if the dwelling on this site received permission, there would still need to be trips made by the applicant to the other landholdings.
- It was recognised that Linton Road on a Saturday morning may be quieter than other times during the week. The Highways Officer said that a recent survey of Linton Road showed approximately 200-300 cars per hour on weekdays which was small in comparison to other main roads. It was noted that no other data was not available at Panel.
- It was noted there was no further information in relation to costings for construction of a new dwelling at Trip Lane. It was acknowledged that house prices in the area were high, but the previous figure of £170,000 for construction of the new dwelling did appear extremely low if it was to be a completed 4-bedroom dwelling and with full access to services.
- Members were advised that Lilac Farm is a tenanted agricultural holding which has been tenanted by the family since 1967. The farming business is predominantly focussed on cultivating a mix of owned and

tenanted arable land in different locations, including Lilac Farm, Trip Lane, York and Shadwell. Members were provided with an explanation of how a three generational tenancy usually operates, if in accordance with the relevant legislation. However, it was noted that officers had not seen the specifics of the applicant's lease in this instance.

- It was reinforced that no evidence had been provided to suggest that the tenancy would not or could not continue at Lilac Farm. These personal circumstances of the applicant had therefore been considered but could not be given any sort of substantial weight as – with no evidence of development at Lilac Farm being imminent – there was no pressing need shown for a dwelling at Trip Lane.
- It was noted that should a proposal come forward for development of Lilac Farm it would be considered by planning and it was thought unlikely that the whole 200 acres site would be proposed for development.
- Members were informed that Lilac Farm fields are in the Green Belt, only the house and buildings are outside the Green Belt. As such there would be no special planning protection on the house or buildings.

The North & East Area Planning Manager summarised officer responses to Members' questions and summarised the additional information received in relation to Member queries at the May 2021 Panel meeting.

Members comments included:

- It was not Members' role to question or interrogate the security of tenure available at Lilac Farm.
- The applicant had not established that there was an absolute need for the dwelling.
- Appeal decisions on similar applications suggested that the Planning Inspectorate would not support the application if it went to appeal. Do not therefore want to face a challenge if this application is allowed, as the necessary threshold of very special circumstances / need has simply not been demonstrated.
- Land in Green Belt areas is cheap because it is sold for agricultural purposes. It is not there for the building of dwellings, in a good location, at reduced cost.
- The Green Belt in this location forms part of the Ebor Way. It is there for people to be able to use to enjoy the countryside / rural surroundings, so should be preserved for this purpose

RESOLVED – To refuse the application for reasons set out in the submitted report.

34 Date and Time of Next Meeting

RESOLVED – To note that the next meeting of North and East Plans Panel is scheduled for Thursday 11th November 2021, at 1:30pm, in Civic Hall, Leeds.

Meeting concluded at 14:37

Minutes approved at the meeting
held on Thursday, 11th November, 2021