



Minutes

Planning Committee

Venue: Council Chamber, Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT

Date: Wednesday, 4 March 2020

Time: 2.00 pm

Present: Councillor J Cattanach in the Chair

Councillors I Chilvers, R Packham, P Welch, K Ellis, D Mackay, M Jordan, T Grogan and J Mackman (Vice-Chair)

Officers Present: Martin Grainger – Head of Planning, Ruth Hardingham - Planning Development Manager, Kelly Dawson – Senior Solicitor, Frances Maxwell – Solicitor, Fiona Ellwood – Principal Planning Officer, Yvonne Naylor – Principal Planning Officer, Mandy Cooper – Principal Planning Officer, Rebecca Leggott – Senior Planning Officer, Gareth Stent – Principal Planning Officer, Victoria Day, North Yorkshire County Council Highways Officer; and Dawn Drury – Democratic Services Officer

Press: 1

Public: 17

41 APOLOGIES FOR ABSENCE

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

42 DISCLOSURES OF INTEREST

Councillor K Ellis declared a personal interest in agenda item 5.8 – Land South of Main Street, Church Fenton and confirmed that he would leave the meeting during consideration of this item.

Councillor K Ellis further declared that he had received additional representations by email in relation to agenda item 5.1 – The Old Barn, Sweeming Lane, Little Fenton; and confirmed that he had not expressed an opinion on the application and remained open minded, and as such would participate in the debate and decision.

All Councillors declared that they had received additional representations by email in relation to two applications on the agenda, agenda item 5.6 – Hilahgarth, Main Street, Church Fenton, Tadcaster, and agenda item 5.8 – Land South of Main Street, Church Fenton; and confirmed that they had not expressed an opinion on the application and remained open minded, and as such would participate in the debate and decision.

43 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that an officer update note had been circulated, and that the order of the agenda had been adjusted to reflect the number of public speakers registered in relation to each application. In relation to item 5.7 of the officer update note, Members noted that the information was purely for reference.

Members were advised that during consideration of agenda item 5.6 and agenda item 5.8 the meeting would be audio recorded.

The Chair also informed Members that agenda item 5.3 – 2019/0311/FUL – The Byre, Sweeming Lane, Little Fenton had been deferred by agreement with the applicant and as such would not be considered at the meeting.

44 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 5 February 2020.

In relation to minute item number 37, Councillor Ellis stated that he had only declared an interest in one of the applications on the agenda, agenda item 5.11 – Land South of Main Street, Church Fenton and not three as stated, and therefore asked that agenda item 5.4 – Hilahgarth, Main Street, Church Fenton, Tadcaster, and agenda item 5.5 – Hall Lane Stables, Church Fenton be removed from the minute. The Democratic Services Officer was asked to make this amendment.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 5 February 2020 for signing by the Chairman, with the above amendment.

45 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following applications:

45.1 2019/0513/FUL: HILAHGARTH, MAIN STREET, CHURCH FENTON

Application: 2019/0513/FUL

Location: Hilahgarth, Main Street, Church Fenton

Proposal: Proposed erection of three detached dwellings following demolition of existing dwelling.

The Principal Planning Officer presented the application which had been brought before Planning Committee as it had received more than 10 letters of objection as a result of consultations which raised material considerations; as such it was considered locally controversial. The application had been brought to Planning Committee on 5 February 2020 where Members had resolved to defer the application so a site visit could be undertaken. The site visit had taken place on Tuesday 3 March 2020.

The Committee noted that the application was for the proposed erection of three detached dwellings following demolition of an existing dwelling.

A number of questions were asked of the North Yorkshire County Council (NYCC) Highways Officer in relation to on-street parking, accident data and traffic speed surveys. It was confirmed that two speed surveys had been undertaken in support of the application, and that all parking areas were outside the visibility splays. It was further confirmed that officers were satisfied with the accident data from 2010 to 2018, and no issues had been raised in this period. Members queried the accident data and whether requests had been received from the Parish Council for any traffic speed signs to be introduced on the sharp bend in the road, the NYCC Highways Officer stated that only recorded accidents could be considered and that no requests had been received for signage. Officers confirmed that all relevant issues had been raised with NYCC Highways based on the speed surveys, and all information provided had advised that they had no objections to the scheme subject to the conditions contained within the report.

In relation to the officer update note Members noted that two further letters of representation had been received which raised further issues with the application, the issues had been considered by officers and there was no change to the position noted in the report on drainage, design or tree matters and thus no change to the recommendation.

Mohammed Farooq, objector, spoke in objection to the application.

Sarah Chester, Parish Councillor, spoke in objection to the application.

Mark Newby, agent, spoke in support of the application.

The Committee expressed grave concern in relation to highway safety issues.

Members outlined their potential reasons for refusal in regard to over-development of the site and the impact of the scale of development on the trees; and highways safety issues.

It was proposed and seconded that Members were minded to REFUSE the application. Officers were requested to consider the indicative reasons for refusal and bring them back to Committee for Members consideration.

RESOLVED:

Minded to REFUSE the application and defer for reasons for refusal to be considered by the Committee.

45.2 2017/0736/REMM: LAND SOUTH OF MAIN STREET, CHURCH FENTON, TADCASTER

Councillor Keith Ellis left the room during consideration of this item, as per his earlier declaration.

Application: 2017/0736/REMM

Location: Land South of Main Street, Church Fenton, Tadcaster

Proposal: Reserved matters application relating to appearance, landscaping, layout and scale for erection of 50 dwellings of approval 2015/0615/OUT for outline application to include access for a residential development

The Principal Planning Officer presented the application which had been brought before Planning Committee as more than 10 letters of representation had been received which raised material planning considerations and officers would otherwise determine the application contrary to these recommendations. It had also been requested by Cllr Musgrave.

The application had been brought back before Planning Committee due to deferral of the application at 5 February 2020 Planning Committee. Members had been minded to refuse the application and had resolved to defer the application to allow Officer's to consider the indicative reasons suggested at the meeting, and to bring back to Committee detailed reasons for refusal.

The Committee noted that the application was a reserved matters application relating to appearance, landscaping, layout and scale for erection of 50 dwellings of approval 2015/0615/OUT for outline application to include access for a residential development.

In relation to the officer update note Members noted that two further objections had been received, and minor amendments had been made to the wording in the reasons for refusal.

Joseph Miller, objector, spoke in objection to the application.

Sarah Chester, Parish Councillor, spoke in objection to the application.

Members thanked officers for considering and condensing the indicative reasons for refusal and confirmed that they were in accordance with the indicative reasons given at the planning meeting on the 5 February 2020.

Members asked questions of the officer in relation to an updated flood risk assessment being undertaken in view of the change in Flood Zones for the site from Flood Zone 1 to Flood Zone 2.

It was proposed and seconded that the application be REFUSED. The decision was unanimously agreed.

RESOLVED:

To REFUSE the application for the reasons set out at paragraph 1.2 of the report and the officer update note.

Councillor Keith Ellis re-joined the meeting at this point.

45.3 2019/1074/FUL: THE OLD BARN, SWEEMING LANE, LITTLE FENTON

Application: 2019/1074/FUL

Location: The Old Barn, Sweeming Lane, Little Fenton.

Proposal: Retrospective application for the subdivision of an existing dwelling into 2 no. units and retention of a two-storey rear domestic extension.

The Principal Planning Officer presented the application which had been brought before Planning Committee as it was a minor application where 10 or more letters of representation had been received which raised material planning considerations and Officers would otherwise determine the application contrary to these representations.

The Committee noted that the application was a retrospective application for the subdivision of an existing dwelling into 2 no. units and retention of a two-storey rear domestic extension.

Members acknowledged that the application was a retrospective application as the existing dwelling had been extended and subdivided to form two dwellings without planning permission. Although Policy SP2A(c) of the Core Strategy allowed for the re-use of existing buildings in the form of a sub-division, officers considered the application would resort in a disproportionate addition over and above the size of the original building by approximately 150%. The officer confirmed that the proposal was considered to be acceptable in terms of its design and impact on the character of the area, and the impact on residential amenity, flood risk and drainage, nature conservation and protected species, land contamination; and affordable housing. It was further confirmed that all immediate neighbours had been informed of the application resulting in forty one letters of representation being received; all of which supported the application.

Members asked questions of the officer in relation to previous planning consent and the lack of neighbour objections to the application.

In relation to the officer update note Members noted that two further letters of support had been submitted which raised issues with the content of the officer report, however the officer's report set out the full assessment of the application and the content of the two letters did not alter that assessment of the application.

Andrew Mason, agent, spoke in support of the application.

Members considered the application and agreed that the basis of the development was acceptable in principle, in line with Policy SP2 A (c), H14 of the Local Plan and paragraphs 78 and 79 of the National Planning Policy Framework (NPPF) in that there was no harm to the character of the countryside and the extension was of an appropriate design and not disproportionate in size.

It was proposed and seconded that the application be GRANTED, subject to conditions delegated to officers. The decision was unanimously agreed.

RESOLVED:

To GRANT the application, for the reasons set out above subject to conditions delegated to officers

45.4 2019/0578/FUL: THE COURTYARD, SWEEMING LANE, LITTLE FENTON

Application: 2019/0578/FUL

Location: The Courtyard, Sweeming Lane, Little Fenton.

Proposal: Proposed conversion of an ancillary building to a single 3-bed residential dwelling.

The Principal Planning Officer presented the application which had been brought before Planning Committee as the proposal was contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan) but it was considered there were material considerations which would justify approval of the application.

The Committee noted that the application was for the proposed conversion of an ancillary building to a single 3-bed residential dwelling.

Members discussed the application and agreed with the officer's recommendation; it was therefore proposed and seconded that the application be GRANTED.

RESOLVED:

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

45.5 2018/1243/OUTM: BAR FARM, 46 MAIN ROAD, HAMBLETON

Application: 2018/1243/OUTM

Location: Bar Farm, 46 Main Road, Hambleton
Proposal: Outline application for the erection of a residential development and associated infrastructure with all matters reserved.

The Principal Planning Officer presented the application which had been brought before Planning Committee as part of the proposal was situated in the open countryside and therefore the proposal represented a Departure from the Development Plan and Officers were recommending the granting of permission contrary to the plan. There were material considerations which would justify approval of the application.

The Committee noted that the application was an outline application for the erection of a residential development and associated infrastructure with all matters reserved.

Members acknowledged that the majority of the site comprised a number of large farm buildings, there would be a limited expansion beyond the development limits of Hambleton but it would form part of the farm curtilage and would not physically encroach beyond the natural farm boundary, into the adjacent open countryside.

Officers considered the proposed development would be a natural small extension to the village and would result in a visual improvement to the existing large agricultural buildings, and would therefore result in an appropriate form of development as highlighted in paragraph 119 of the National Planning Policy Framework (NPPF).

In relation to the officer update note Members noted that the information was purely for clarity.

Steve Jennesson, agent, spoke in support of the application.

The Committee were pleased to note that a condition had been imposed to ensure compliance with policies SP15 and SP16 of the Core Strategy in relation to improved energy efficiency through design of the buildings, Members agreed that it would be appropriate to impose an additional condition relating to the provision of electrical car charging points,

It was proposed and seconded that the application be GRANTED.

RESOLVED:

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To GRANT the application subject to completion of a Section 106 relating to Affordable Housing; Recreational Open Space, and Waste and Recycling; along with the conditions set out at paragraph 7 of the report and in the officer update note; and an additional condition relating to the provision of electric charging points.

45.6 2020/0012/COU: FORMER NATWEST BANK, THE CRESENT, SELBY

Application: 2019/0012/COU

Location: Former NatWest Bank, The Crescent, Selby

Proposal: Proposed change of use of a former bank to a dental practice and associated works.

The Senior Planning Officer presented the application which had been brought before Planning Committee as Selby District Council was the landowner.

The Committee noted that the application was for the proposed change of use of a former bank to a dental practice and associated works

Members queried a previous planning permission which had been granted that allowed for the automated teller machine (ATM) to be removed from the building and the aperture infilled with a stainless-steel blanking plate. The officer explained that this application was purely for the proposed change of use of the building, and that the associated internal and external works would be dealt with as part of the next agenda item.

Members discussed the application and agreed with the Officer's recommendation; it was therefore proposed and seconded that the application be GRANTED.

RESOLVED:

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

Councillor J Mackman left the meeting at this point.

45.7 2019/1222/LBC: FORMER NATWEST BANK, THE CRESENT, SELBY

Application: 2019/1222/LBC

Location: Former NatWest Bank, The Crescent, Selby
Proposal: Listed building consent for change of use of former bank (A2) to dental practice (D1) and associated internal and external works.

The Senior Planning Officer presented the application which had been brought before Planning Committee as Selby District Council was the landowner.

The Committee noted that the application was for listed building consent for change of use of former bank (A2) to dental practice (D1) and the associated internal and external works.

Members acknowledged that the building was currently in a state of disrepair, and that the proposed works would sustain and enhance the Grade 11 listed building. Officers considered that the continued use of the building for business use would contribute to enhancing the vitality of Selby Town Centre and outweighed any less than substantial harm identified.

Councillor J Mackman re-joined the meeting at this point but did not take part in the debate or the vote on this item

The Committee expressed concern regarding a previous planning permission which had been granted that allowed for the automated teller machine (ATM) to be removed from the building and the aperture infilled with a stainless-steel blanking plate. Members queried, as this was a new planning application, if there was the potential to negotiate a more suitable material being used to infill the aperture with the applicants. Officers confirmed that this would be a practical way forward.

The Committee felt that it would be appropriate for officers to instigate negotiations with the applicants to agree a suitable material to replace the stainless-steel blanking plate, in order to protect the character and appearance of the Grade II listed building, set within the Selby Town Conservation Area.

It was proposed and seconded that Members were minded to GRANT the application.

RESOLVED:

To be minded to GRANT the application subject to the conditions set out at paragraph 7 of the report; and delegation given to officers to negotiate

with the applicants: and to agree a suitable material to infill the ATM aperture, in order to protect the character and appearance of the Grade II listed building, set within the Selby Town Conservation Area.

45.8 2018/1075/FUL: YEW TREE FARM, MAIN STREET, THORGANBY

Application: 2018/1075/FUL

Location: Yew Tree Farm, Main Street, Thorganby

Proposal: Proposed demolition of existing farm buildings (as previously approved), the erection of 3 no. dwellings and associated works and the conversion and extension of an outbuilding to form garaging.

The Senior Planning Officer presented the application which had been brought before Planning Committee as the application did not strictly accord with Policy SP2(C) of the Selby District Core Strategy, in that part of the proposed gardens to the new dwellings lie outside the development limits of the settlement. The site did, however, already benefit from an extant permission (2016/1233/FUL) which was for a similar development and represented a fall-back position. Since the proposal would comply with all other relevant criteria it was considered that there were material considerations which support the application therefore the recommendation was for approval.

The Committee noted that the application was for the proposed demolition of existing farm buildings (as previously approved), the erection of 3 no. dwellings and associated works and the conversion and extension of an outbuilding to form garaging.

In relation to the officer update note Members noted that a minor typo had been amended, at page 211 paragraph 5.55 of the report to mention further advised conditions in terms of investigation of land contamination, submission of a remediation scheme; and verification of remedial works, however officers considered that this did not alter the assessment made.

Members complemented the officer on the quality of the presentation before the Committee.

Members discussed the application and agreed with the Officer's recommendation; it was therefore proposed and

seconded that the application be GRANTED.

RESOLVED:

To GRANT the application subject to the conditions set out at paragraph 7 of the report and in the officer update note.

The meeting closed at 4.24 pm.