

Planning Committee

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

Date: Wednesday, 9 February 2022

Time: 2.00 pm

Present: Councillor J Cattanach in the Chair

Councillors J Mackman (Vice-Chair), K Ellis, I Chilvers,
R Packham, P Welch, D Mackay and C Richardson

Councillor R Musgrave as substitute

Officers Present: Martin Grainger, Head of Planning, Ruth Hardingham,
Planning Development Management, Glenn Sharpe,
Solicitor, Fiona Ellwood, Principal Planning Officer, Gareth
Stent, Principal Planning Officer, Jenny Tyreman, Assistant
Principal Planning Officer, Mandy Cooper, Senior Planning
Officer, Victoria Foreman, Democratic Services Officer

Press: 0

Public: 12

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Chilvers and M Topping; Councillor R Musgrave was in attendance as a substitute for Councillor Topping.

56 DISCLOSURES OF INTEREST

Councillor R Musgrave declared a non-pecuniary interest in agenda item 5.1 – Staynor Hall, Abbots Road, Selby, as he was Executive Member for Place Shaping and, as such, had discussed the Staynor Hall scheme numerous times; as such he confirmed that he would not take part in the debate or the vote but was not required to leave the meeting during consideration thereof.

Councillor R Musgrave declared a non-pecuniary interest in agenda item 5.2 – Low Farm, Low Road, Bolton Percy as he knew the applicant. He would step

away from the committee and not take any part in the debate and the vote on the item but would be speaking as a Ward Councillor.

Councillor R Musgrave declared a non-pecuniary interest in agenda item 6 – Yorkshire Green Energy Enablement Project, known as Yorkshire GREEN – Nationally Significant Infrastructure Project, as the recommendation in the reported delegated part of the decision to himself as Executive Member for Place Shaping and the Director for Economic Regeneration and Place. As such, he would leave the meeting and not take any part in the debate or decision on the item.

All Committee Members declared a non-pecuniary interest in agenda item 5.1 – Staynor Hall, Abbots Road, Selby as they had received a representation from the applicant but would not be required to leave the meeting during consideration thereof.

57 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair announced that an Officer Update Note had been circulated and was available to view alongside the agenda on the Council's website.

The Committee noted that any late representations on the applications would be summarised by the Officer in their presentation.

58 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 12 January 2022.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 12 January 2022 for signing by the Chairman.

59 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications.

59.1 2015/0452/EIA - STAYNOR HALL, ABBOTS ROAD, SELBY

Application: 2015/0452/EIA

Location: Staynor Hall, Abbots Road, Selby

Proposal: Reserved matters application for the erection of 215 dwellings following outline approval CO/2002/1185 (8/19/1011C/PA) for the erection of 1200 dwellings (4 existing to be demolished) employment, public open space, shopping and community facilities (including up to 2,000 sq m of shops) together with associated footpaths, cycleways, roads, engineering at Phase 4

The Principal Planning Officer presented the application which had been previously presented to the meeting of the committee on 10 November 2021 and deferred for a site visit to look at the impact of the new access to Staynor Avenue at peak traffic times, to allow Officers to explore alternative access arrangements and to assess the impact on the woodland. The deferment was also to allow the Landscape Architect to be consulted.

Members noted that the application was a reserved matters application for the erection of 215 dwellings following outline approval CO/2002/1185 (8/19/1011C/PA) for the erection of 1200 dwellings (4 existing to be demolished) employment, public open space, shopping and community facilities (including up to 2,000 sq. m of shops) together with associated footpaths, cycleways, roads, engineering at Phase 4.

The Committee considered the Officer Update Note which set out extra information including further comments from the agent, impact of the changes on the residents of numbers 2 to 16 Staynor Avenue, re-consultation of Selby Town Council on amended plans, clarity that the plan referred to in paragraph 3.20 would be within the presentation, the response from the Highways Authority, and an amended condition and recommendation.

The Committee asked numerous questions of the Officer about the scheme, in particular about the fact that the consultation with Selby Town Council was still open and commented that the decision should be subject to the expiry of the consultation with the Town Council on 14 February 2022 and the application publicity on 15 February 2022.

Officers confirmed that no further comments had been received from Selby College since 27 January 2022, and that an additional condition regarding access for all construction vehicles being through phase 3 in the south-eastern corner of the site, with no construction vehicles being taken from the proposed Staynor Avenue emergency access, could be added.

Paul Butler and Steve Windass, agents, with the agreement of the Chair shared the five minutes to speak and spoke in favour the application.

Members debated the application further and were pleased that a great deal of work had been undertaken

since the committee had last considered the application, specifically relating to the woodland, access and traffic. The committee were pleased that Selby College and local residents were all content.

Officers confirmed that there were some highways checks to be undertaken which may result in some small adjustments within the plans; these would be discussed again with the Highways Team and agreements would follow.

It was proposed and seconded that the application be MINDED TO GRANT; a vote was taken and was carried.

RESOLVED:

1. That the application be MINDED TO GRANT, subject to:

- the conditions set out at paragraph 7 of the report and Officer Update Note;
- the expiry of the publicity period for the application on 15 February 2022 and expiry of the consultation with Selby Town Council on 14 February 2022;
- the following additional condition:

That all construction vehicles shall access the site through phase 3 in the south eastern corner of the site, with no construction vehicles being taken from the proposed Staynor Avenue emergency access.

Reason

In the interests of highway safety due to the conflict of the Staynor Avenue emergency access and the college.

and;

- the delegation of outstanding highway changes being made to the satisfaction of NYCC

Highways, and if the changes were considered minor and fell within the framework of the existing recommendation, the Head of Planning, in consultation with the Chair of the Planning Committee, delegate the decision to release the reserved matter approval.

- 2. That following the expiry of the publicity the Head of Planning and/or Planning Development Manger be authorised to issue the Reserved Matters permission.**

59.2 2019/0522/FUL - LOW FARM, LOW FARM ROAD, BOLTON PERCY

Councillor R Musgrave stepped away from the Committee at this point in order to be able to speak as Ward Member.

Application: 2019/0522/FUL

Location: Low Farm, Low Farm Road, Bolton Percy

Proposal: Proposed erection of a three-bedroom dwelling and garage following demolition of existing buildings

The Senior Planning Officer presented the application which had been brought before Planning Committee at the request of the Head of Planning Services.

Members noted that the application was for the proposed erection of a three-bedroom dwelling and garage following demolition of existing buildings.

The Committee considered the Officer Update Note which set out extra information including clarification of some errors in paragraphs 2.13 and 5.28 of the report, additional comments from Ecology and an additional representation received from a neighbouring occupant.

The Committee asked numerous questions of the Officer about the scheme, in particular about the refusals of the previous 2017 and 2018 applications and whether they had been considered by the Planning Committee; Officers confirmed that the application before Members was essentially the same as the previous applications, both of which had been refused.

Councillor Richard Musgrave, Ward Member spoke in favour of the application.

Jennifer Hubbard, agent, spoke in favour of the application.

Members debated the application further, with some of the opinion that the application should not be granted for numerous reasons, including the fact that it was outside development limits and in the open countryside that undermined the Council's Development Plan, which was in force until 2027. The proposal was not in any categories of development in the countryside and would not be sustainable. Whilst the Council was in the process of updating the Local Plan, there were no indicators of what changes would be made and where; as such, no weight could be given to prospective policy changes that would allow the application.

Some Members felt that the application should be deferred and a site visit undertaken; however, the point was made by others that there had been no changes to the scheme for the past four years, and no appeal against previous refusals.

It was proposed and seconded that the application be refused; a vote was taken and was carried.

RESOLVED:

That the application REFUSED for the reasons set out at paragraph 7 of the report.

59.3 2019/1328/REMM - LAND ADJACENT ASPEN GROVE, WEELAND ROAD, EGGBOROUGH

Councillor R Musgrave re-joined the Committee at this point.

Application: 2019/1328/REMM

Location: Land Adjacent Aspen Grove, Weeland Road, Eggborough

Proposal: Reserved matters application (appearance, landscaping, layout, and scale) for the erection of 30 residential dwellings, pursuant to outline permission reference 2016/0124/OUT

The Assistant Principal Planning Officer presented the application which had been brought before Planning

Committee as the proposals reduced the amount of recreational open space to be provided on site from the 2,900 square metres agreed by the Planning Inspectorate in December 2016 to 1,800 square metres.

Furthermore, notwithstanding conditions attached to the outline planning permission requiring surface water drainage details to be submitted to and agreed by the Local Planning Authority by way of a discharge of condition application, the applicant now proposed to provide an off-site attenuation basin as part of the surface water drainage proposals, which required planning permission in its own right as opposed to a discharge of condition application, as the works were on land outside of the red line boundary. This was the subject of planning application reference 2020/1369/FUL, which had also been brought before Planning Committee for consideration, and was the next item on the agenda, given its link to this application.

Members noted that the application was a reserved matters application (appearance, landscaping, layout, and scale) for the erection of 30 residential dwellings, pursuant to outline permission reference 2016/0124/OUT.

The Committee considered the Officer Update Note which set out extra information including the removal of some wording from condition 8 to instead form an informative and two additional conditions.

The Committee asked numerous questions of the Officer about the scheme, in particular about the installation of SUDS on site and the discharge of foul water. Officers advised that detail around the SUDS and drainage on the site would be included in the following agenda item due for consideration by Members.

Jonathan Ainley, agent, was invited to speak at the meeting and spoke in support of the application.

Members debated the application further and expressed some reservations about the scheme's design particularly about the siting of the recreational open space, and the cramped nature of the boundary in some places. Officers assured Members that extensive discussions and work had been undertaken on the proposals with the applicants and that the scheme as presented to the Committee was a result of those discussion and work, with amendments having been

made to the scheme throughout the application process.

Further comments were made about foul drainage but Members were reminded that the application was reserved matters and as such the principle of development had already been agreed; as such, there would be no condition relating to foul drainage. Officers emphasised that there had been no comments to the contrary regarding drainage.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to completion of Deed of Variation, the conditions at paragraph 7 of the report and the conditions as amended and added in the Officer Update Note.

59.4 2020/1369/FUL - LAND ADJACENT TEASEL HALL, WEELAND ROAD, EGGBOROUGH

Application: 2020/1369/FUL

Location: Land Adjacent Teasel Hall, Weeland Road, Eggborough

Proposal: Installation of a Sustainable Drainage System (SuDS) basin in respect of the adjacent residential development for 30 dwellings

The Assistant Principal Planning Officer presented the application which had been brought before Planning Committee as it related to planning application reference 2019/1328/REMM, which had also been brought before Planning Committee for consideration and was the previous item on the agenda. Notwithstanding conditions attached to outline planning permission reference 2016/0124/OUT requiring surface water drainage details to be submitted to and agreed by the Local Planning Authority by way of a discharge of condition application, the applicant now proposed to provide an off-site attenuation basin as part of the surface water drainage proposals. This required planning permission in its own right as opposed to a discharge of condition application, as the works were on land outside of the red line boundary.

Members noted that the application was for the installation of a Sustainable Drainage System (SuDS)

basin in respect of the adjacent residential development for 30 dwellings.

The Committee considered the Officer Update Note which set out details of an additional condition.

Members asked about the retention of the agricultural appearance of the site and the usual arrangement for water storage in a holding tank, which Officers confirmed. The Committee also asked which Drainage Board the site would come under; Officers explained that the names had recently changed but that the correct board was included in the scheme's consultation. Members were pleased to note that there was a management plan in place to maintain the infrastructure and that whilst vehicular access for such works would be through the residential site, the access road around the basin was wide enough at three metres.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions at paragraph 7 of the report and the Officer Update Note.

59.5 2021/0101/FUL - RUSHOLME HALL, RUSHOLME LANE, NEWLAND

Application: 2021/0101/FUL

Location: Rusholme Hall, Rusholme Lane, Newland

Proposal: Restoration of Rusholme Hall back to Residential Use (Use Class C3)

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 that there were material considerations which would justify approval of the application.

Members noted that the application was for the restoration of Rusholme Hall back to Residential Use (Use Class C3).

Officers explained that there had been minor changes to condition 8 to also include reference to the rear curtilage

and that the approved details would be implemented within six months of occupation instead of three.

With regards to paragraph 5.16 of the report, the Committee noted that comments from the Urban Design Team and Conservation Officer had been considered; it was not a graded building, but simply locally historically significant. As such it did not need to be retained as much of the internal timber needed replacement due to its condition.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions at paragraph 7 of the report and the amendments to Condition 8, as set out below:

0.1 The dwelling shall not be occupied until a detailed layout plan for front and rear curtilage area has been submitted for the written approval of the Local Planning Authority to provide for vehicle access and parking to the front of the property, full details of boundary treatments, hard surfacing materials and landscaping. Thereafter the approved details shall be implemented within 6 months of occupation and maintained for the lifetime of the development.

Reason:

To ensure the adequate parking provision, site landscaping and boundary treatment appropriate for the setting of Rusholme Hall.

60 YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT, KNOWN AS YORKSHIRE GREEN - NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

Councillor R Musgrave left the meeting at this point and did not return.

The Committee received a report which set out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these were dealt with.

Officers explained that on 1 April 2012, under the Localism Act of 2011, PINS became the agency responsible for operating the planning process for NSIPs. NSIPs were large scale developments such as new harbours, power generating stations (including wind farms) and electricity transmission lines which required a type of consent known as a DCO under procedures governed by the Planning Act 2008 (and amended by the Localism Act 2011). This was not a 'planning application' under the Town and Country Planning Act 1990, and the status of the development plan was different in that the principal guidance for their determination was contained within the suite of Energy National Policy Statements (NSPs).

Members noted that the 2008 Act set out thresholds above which certain types of infrastructure development were considered to be 'nationally significant' and required the granting of a consent order. NSIPs were introduced as a fast-track method and alternative way of dealing with nationally important infrastructure after the much-publicised delays in the consenting of Heathrow's last major expansion proposal for a fifth terminal. In England, PINS examines applications for DCOs from the energy, transport, waste, wastewater and water sectors. For such projects, PINS undertakes an examination of the application and makes a recommendation to the relevant Secretary of State, who makes the final decision on whether to grant or to refuse the DCO. Energy NSPs introduce a presumption in favour of granting DCOs.

Officers went on to explain that National Grid Electricity Transmission was proposing to submit an application for a DCO to upgrade and reinforce the electricity transmission system in Yorkshire, spanning five local authority areas including Selby District, and that the scheme was Nationally Significant Infrastructure Project (NSIP) to be determined by PINS. Two rounds of public consultation had taken place in 2021; non-statutory consultation took place in quarter 1 of 2021; statutory consultation took place in quarter 4 of 2021. It was anticipated that National Grid Electricity Transmission would submit their DCO application to PINS during quarter 4 of 2022 or quarter 1 of 2023.

The Officer Update Note set out details of the amended recommendation, as well as a correction at paragraph 3.5 of the report; the words 'Drax Power Limited' were to be replaced with the words 'National Grid Electricity Transmission'. Officers also made Members aware that Appendix 1 – Overall Location Plan for Yorkshire GREEN Project was missing from the agenda; this would be shown in the PowerPoint presentation at the meeting.

The recommendations contained within the report, as updated by the Officer Update Note, were proposed and seconded.

RESOLVED:

- 1. That the contents of the report be noted.**
- 2. That authorisation was sought from the Executive to authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for**

Place Shaping to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

The meeting closed at 4.09 pm.