

## Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 1 June 2022
Time:	2.00 pm
Present:	Councillor M Topping in the Chair  Councillors C Richardson (Vice-Chair), I Chilvers, K Ellis, G Ashton, R Packham, P Welch, J Duggan and D Mackay
Officers Present:	Martin Granger, Head of Planning, Glenn Sharpe, Solicitor, Hannah Blackburn, Interim Planning Development Manager, Gareth Stent, Principal Planning Officer, Irma Sinkeviciene, Senior Planning Officer, Elizabeth Maw, Senior Planning Officer, Emma Howson, Senior Planning Officer, Josh Turner, Planning Officer and Victoria Foreman, Democratic Services Officer
Public:	5

### **1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2 DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **3 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 were informed that any late representations on the applications would be summarised by the Officer in their presentation.

The Chair welcomed Councillors J Duggan and G Ashton to the committee, and Councillor C Richardson in his new role as Vice-Chair. The Chair also thanked Councillors J Cattanach and J Mackman for their contributions to the work of the committee over a number of years.

#### 4 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 11 May 2022.

#### RESOLVED:

**To approve the minutes of the Planning Committee meeting held on 11 May 2022 for signing by the Chairman.**

#### 5 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications.

##### 5.1 2020/1042/FULM - POLICE STATION BROWNFIELD SITE, PORTHOLME ROAD, SELBY

**Application:** 2020/1042/FULM

**Location:** Police Station, Brownfield Site, Portholme Road, Selby

**Proposal:** Demolition and construction of a Class E food store, together with car parking, landscaping and associated works

The Principal Planning Officer presented the application which had been brought before Planning Committee as part of the site (the north-eastern corner (0.04 ha)) was still owned by Selby District Council and included some existing trees and redundant gas governor. The sale was agreed to Aldi in June 2021; however, its completion was subject to planning permission being obtained. Hence, the Council were still landowners. This therefore did not comply with Council's Constitution (3.8.9 b (ix)), which did not allow applications on Council owned land to be determined under delegated powers, unless they were minor applications and no objections had been received. The application had received objections and was not minor in nature.

Members noted that it was for the demolition and construction of a Class E food store, together with car parking, landscaping and associated works.

The Committee considered the Officer Update Note which set out the detail of two additional letters of representation and a consultation response, and the resulting supplementary conditions relating to detailed drainage design, exceedance flow routes and SuDs maintenance.

The Committee asked numerous questions of the Officer

relating to the road junction at Portholme Road, the increased levels of traffic in the area and the redesign of the access to the site, tree cover and replacement and representations by the Highways Authority and their acknowledgment that mitigation would be required to address the increase in traffic via a £125k contribution from the developers.

Officers recognised that traffic in the area would be busier, but that the Highways Authority's traffic assessment had been sought and potential issues acknowledged; the £125k contribution for mitigation of such issues was deemed appropriate by the Highways Authority.

The Committee noted that the existing trees on the site were not of great quality but did provide greenery. Officers confirmed that 17 new trees would be included on the site.

The Democratic Services Officer read out two representations submitted by J Webber and R Dodgson, objectors, who had asked that they be read out on their behalf to the Committee. The Chair had agreed that two representations could be read out on this occasion.

Will Brooke, the applicant, spoke in favour of the application.

Members debated the application further. Whilst they understood why some local residents would support it, the lack of proposed improvements to deal with the additional traffic were of significant concern, despite the Highway Authority's views. Members felt that clear guidance should be provided by the Highways Authority as to what specific works were envisaged to tackle the additional traffic in the area resulting from the development.

The Committee debated the proposals further and agreed that a decision on the application should be deferred in order for further discussions with the Highways Authority to take place.

It was proposed and seconded that a decision on the application be DEFERRED; a vote was taken and was carried.

**RESOLVED:**

**That a decision on the application be**

**DEFERRED for further discussions to take place with the Highways Authority relating to the mitigation of expected traffic difficulties caused by the development, in particular:**

- 1. the acceptability of the access/egress given the proximity of two other supermarkets;**
- 2. additional traffic on the localised network and;**
- 3. a better understanding of what NYCC planned to do to improve and when as part of the wider movement study.**

**5.2 2021/0241/FUL - THE FARMSTEAD, LUND LANE, CLIFFE**

**Application:** 2021/0241/FUL

**Location:** The Farmstead, Lund Lane, Cliffe

**Proposal:** Conversion of existing barn to form one dwelling, external alterations and a chimney

The Senior Planning Officer presented the application which had been brought before Planning Committee as the proposal was recommended for approval 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 it was for the conversion of existing barn to form one dwelling, external alterations and a chimney.

There were no speakers.

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 set out in the report.**

**5.3 2021/0268/FUL - LAND OFF LARTH CLOSE, WHITLEY**

**Application:**2021/0268/FUL

**Location:** Land Off Larth Close, Whitley

**Proposal:** Erection of 6 dwellings and garages (Amended Proposal)

The Senior 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 where Officers were recommending determination of the application contrary to these representations.

Members noted that it was for the erection of 6 dwellings and garages (Amended Proposal).

The Committee asked numerous questions of the Officer relating to the special circumstances for development in the green belt and the definition of limited infilling in villages. Officers explained that there was no specific definition nor guidance as to what number of dwellings would constitute appropriate infilling and therefore it was a matter for planning judgement based on the individual case, involving a comparison of the proposed built form to that previously approved.

Peter Blackburn, objector, spoke against the application.

Philip Johnson, applicant, spoke in favour of the application.

Members debated the application further and agreed the proposals were acceptable and that the level of infilling was appropriate.

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 a S106 Agreement for Recreational Open Space and Waste/ Recycling Contributions, and the conditions set out in the report.**

**5.4 2021/0770/HPA - 32 ABBOTS MEWS, SELBY**

**Application:** 2021/0770/HPA

**Location:** 32 Abbots Mews, Selby

**Proposal:** Raised paving area with step edged in treated timber sleepers and gazebo (retrospective)

The Planning Officer presented the application which had been brought before Planning Committee as the applicant was an employee of the Council within the Leadership Support Team.

Members noted that it was for a raised paving area with step edged in treated timber sleepers and gazebo (retrospective).

The Committee asked why the application before them required planning permission; Officers explained that this was due to the height of the structure.

There were no speakers.

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 set out in the report.**

**5.5 2021/1308/HPA - BEAL HOUSE, 1 BROADMANOR, NORTH DUFFIELD**

**Application:** 2021/1308/HPA

**Location:** Beal House, 1 Broadmanor, North Duffield

**Proposal:** Erection of rear single storey extension and realignment of garden fence to eastern boundary

The Planning Officer presented the application to the Planning Committee as a result of a request by Councillor K Arthur, on behalf of North Duffield Parish Council, for the following reasons: (1) The adverse visual impact on neighbouring properties of the proposed 2.3m high fence; (2) The siting of the proposed fence outside of the property boundaries and encroaching onto highway land at the junction of Broadmanor and Main Street; and (3) Inaccuracies and errors in the submitted application form.

Officers explained that the proposed fence was along the boundary line of the property rather than on highway land as the present fence. Members were also updated about the submission of a revised plan, ref. 21072-F101D, submitted since the agenda had been finalised that reduced the height of the fence at the front of the dwelling from 2m to 1.3, thereby lessening its visual impact.

Members noted that it was for the erection of a single storey extension and realignment of the garden fence to the eastern boundary.

There were no speakers.

Members agreed that the issues that had been identified by the Ward Member had been addressed, and that any inaccuracies in the application form were no longer relevant.

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 set out in the report.**

**5.6 2022/0019/FUL - WOODSIDE FARM, SOUTH END LANE, BALNE**

**Application:** 2022/0019/FUL

**Location:** Woodside Farm, South End Lane, Balne

**Proposal:** Conversion of agricultural barn and erection of single storey extension to create 1 no. dwelling, with provision of access; parking; formation of garden area and associated works following demolition of existing shed and covered yard buildings

The Senior Planning Officer presented the application which had been brought before Planning Committee as the proposal was recommended for approval 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 it was for the conversion of agricultural barn and erection of single storey extension to create 1 no. dwelling, with provision of access; parking; formation of garden area and associated works following demolition of existing shed and covered yard buildings.

The Committee asked Officers about the site access; it was confirmed that the access would be moved and shared with the two existing agricultural buildings. Traffic

to the two buildings in question would be minimal as they were only used for storage.

There were no speakers.

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 set out in the report.**

**5.7 2022/0341/FUL - LACE HOUSE, HULL ROAD, CLIFFE**

**Application:** 2022/0341/FUL

**Location:** Lace House, Hull Road, Cliffe

**Proposal:** Erection of new detached dwelling and garage

The Senior Planning Officer presented the application which had been brought before the Planning Committee following a request from the Ward Councillor for the area where the proposal lay, for the following reasons considered to be valid material planning reasons:

- a) the proposal was sustainable development as it was for one dwelling within walking distance of the nearest convenience store, public house and other local facilities; and
- b) the proposal did not conflict with policies SP1, SP2 and SP4 of the Selby District Core Strategy Local Plan 2013 contrary to that stated by the Planning Officer concerned.

Members noted that the application was for the erection of new detached dwelling and garage.

The Committee asked numerous questions of the Officer relating to sustainability and maintaining the vitality of rural communities and access to facilities.

Officers also confirmed that there were no identified adverse effects on neighbouring properties.

The Democratic Services Officer read out a representation submitted on behalf of the applicants, Mr and Mrs Eccles, who had asked that it be read out to the Committee.



Members debated the proposal further; some disagreed with the Officers recommendation to refuse the scheme and the interpretation of the Core Strategy Local Plan 2013 policies SP2 (Spatial Development Strategy) and SP4 (Management of Residential Development in Settlements) on this particular application and felt that the proposal was sustainable development for a settlement the size of Cliffe. However, other Members supported the Officer's recommendation to refuse due to the conflicts with the categories in Policy SP4.

Officers advised Members that Policies SP2 and SP4 are clear, and the interpretation of infill had been confirmed through appeal. Development should be in accordance with the Council's policies save where material considerations outweighed the policy considerations. In specific cases, Members may wish to set aside policies SP2 and SP4 where material considerations exist.

Members noted that whilst the site was not within green belt; it was on the edge of a settlement and within development limits of the village. Approval of the scheme would not set a precedent for the fields to the north as this was open countryside but could set a precedent for future applications in comparable circumstances, i.e., larger properties with large gardens in similar villages. Officers indicated to Members on an aerial image the development limits of the village in question.

The majority of the Committee agreed that there were material considerations that outweighed the conflict with policies, and that the proposed development was a well-designed building of an appropriate scale and would contribute to the local economy.

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

**RESOLVED:**

**To APPROVE the application subject to conditions, the drafting of which would be delegated to the Head of Planning in consultation with the Chair of the Planning Committee.**

The meeting closed at 4.07 pm.