

Planning Committee

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

Date: Wednesday, 7 December 2022

Time: 2.00 pm

Present: Councillor M Topping in the Chair

Councillors C Richardson (Vice-Chair), I Chilvers, K Ellis
and G Ashton

Officers Present: Martin Grainger, Head of Planning, Hannah Blackburn,
Planning Development Manager, Glenn Sharpe, Solicitor to
the Council, Emma Howson, Senior Planning Officer,
Yvonne Naylor, Principal Planning Officer, Diane Holgate,
Principal Planning Officer, Jac Cruickshank, Senior
Planning Officer, Jenny Tyreman, Assistant Principal
Planning Officer, Victoria Day, North Yorkshire County
Council Highways Officer and Gina Mulderrig, Democratic
Services Officer

44 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Duggan, Donald Mackay and Paul Welch.

Councillor Keith Franks was in attendance as substitute for Councillor John Duggan.

45 DISCLOSURES OF INTEREST

Councillor Ashton declared a non-pecuniary interest in agenda item 5.1 as she was the Responsible Finance Officer for Sherburn Parish Council. Councillor Ashton confirmed that she would leave the meeting during consideration thereof.

Councillor Packham declared he had been contacted by various parties regarding agenda item 5.1. Councillor Packham confirmed that he had not discussed the item and would not leave the meeting during consideration thereof.

Councillor Topping declared a professional interest in agenda item 5.4, as he had previously advised on the application in a professional role. Councillor Topping confirmed that he would leave the meeting during consideration thereof.

46 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.

47 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 9 November 2022.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 9 November 2022 for signing by the Chairman.

48 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications.

49 2022/0918/OUT - 7 LOW STREET, SHERBURN IN ELMET

Application: 2022/0918/OUT

Location: 7 Low Street, Sherburn in Elmet

Proposal: Outline application for development of 5 new detached houses including access, appearance, layout and scale (all other matters reserved) on land to the rear of 7 Low Street.

Councillor Ashton left the room.

The Senior Planning Officer presented the application which had been brought before Planning Committee as 3.8.9(b)(vi) is triggered as there had been more than 10 letters of representation received that raised material planning considerations and where officers would otherwise determine the application contrary to these representations.

Members noted that the application was for outline application for development of 5 new detached houses including access, appearance, layout and scale (all other matters reserved) on land to the rear of 7 Low Street.

Members noted the Officer Update Note which included additional comments from Sherburn Town Council expressing concern about the drawings relating to parking and access and the loss of public parking and that houses not truly bungalows. The Officer Update Note also noted the number of objections received to the loss of the car parking at the front of the site and in front of the Spar. The Officer clarified that the land to the site frontage is privately owned, that the land in front of the Spar is not being claimed as owned by the

applicant and so does not remove parking, only access across the land which is a private legal matter and not a material planning condition. Correction of paragraph 5.25 of the report with confirmation that the proposal provided 5 new car parking spaces at the rear and that each proposed dwelling had 2 parking spaces in addition to these. Request for amendment to wording to condition 10.

The Committee asked the Senior Planning Officer whether the shop at 7 Low Street continued to trade and also asked whether evidence had been provided for the ownership of the land to the front of the development and the right of access to the parking spaces in front of the shop at 9 Low Street.

The Senior Planning Officer confirmed the shop at 7 Low Street had been open for trade when first visited the site but was unable to confirm current or future status. The Senior Planning Officer explained there was no legal requirement to submit evidence of ownership and so could not confirm land ownership or rights of access to the front of 9 Low Street. It was also confirmed that the land to the front of 9 Low Street did not form part of this application so rights of access to it was a legal matter between the parties and not a material planning consideration.

Members asked the North Yorkshire County Council Highways Officer about why the proposed access road did not meet adoptable standards and why the site would not be adopted by the North Yorkshire County Council Highways if that had formed part of the application.

The North Yorkshire County Council Highways Officer explained adopted residential roads typically have designated footways constructed and maintained to North Yorkshire County Council Highways design specification which this site would be unable to accommodate due to the size and layout of the plan. The North Yorkshire County Council Highways Officer clarified the design guide and specification for adopted roads was designed for developments of over 5 dwellings meaning that, as this application is under this limit, the road to the dwellings remained a private road and not a concern of the North Yorkshire County Council Highways. It was clarified that highway safety at Low Street was something that Highways would look at.

The Committee asked for clarification on whether vehicles could enter and leave the site simultaneously and for an explanation of the consequences if that was not possible.

The North Yorkshire County Council Highways Officer explained simultaneous passage was possible for one vehicle but only for the first 6 metres of the access point to the road. The North Yorkshire County Council Highways Officer acknowledged that multiple vehicles trying to access the site at once could cause queuing on Low Street but noted that this situation already existed with multiple vehicles queuing to access the existing parking spaces.

Members asked further questions regarding the bollards and the access to the parking spaces outside the front of the shop at 9 Low Street.

The Senior Planning Officer and the North Yorkshire County Council Highways Officer explained that the land to the front of the shop at 9 Low Street was not part of this application so had not been considered. The Planning Solicitor confirmed access issues to the parking spaces in front of 9 Low Street were a legal matter and not a planning issue. The Senior Planning Officer explained that the bollards shown on submitted plans were a drawing error and that the application proposed railings as detailed on the plan to provide a border to the entrance of the private road that would effectively prevent access to the parking in front of 9 Low Street.

Members asked for clarification on whether the proposed 5 car parking spaces to replace those lost on the frontage could be conditioned for use of patrons of the local shops only. The Senior Planning Officer explained this was not possible as it was private land but this was similar to the existing parking spaces, but that the applicant had indicated that the spaces would be provided as replacement for those lost at the front. The Senior Planning Officer explained that if the shop continued to trade, patrons could use the 5 proposed spaces proposed to the rear or a number of local car parks in Sherburn within walking distance.

Objector Alex Tant-Brown was in attendance and spoke against the application.

Town Councillor Gary Limbert of Sherburn Town Council was in attendance and spoke against the application.

Planning Agent Jeremy Williams was in attendance and spoke in favour of the application.

Members debated the application further noting that they felt issues regarding site access, potential traffic risks, and existing and proposed parking car parking spaces had not been fully satisfied. They also noted that the landscaping scheme was a reserved matter so net gain for biodiversity as required by the National Planning Policy Framework could not be demonstrated and that the lack of detail regarding a suitable scheme for the discharge of surface water from the site with separate systems for foul and surface water drainage as recommended by Yorkshire Water was of great concern given the level of flood risk in Sherburn.

It was proposed and seconded that the application be DEFERRED for a site visit and for submission of a Traffic Management Plan; a vote was taken and was carried.

RESOLVED:

That the application be DEFERRED in order for a site visit to be arranged and a Traffic Management Plan to be submitted.

50 2022/0484/OUT - THE BUNGALOW, 10 OLD VICARAGE LANE, MONK FRYSTON

Application: 2022/0484/OUT

Location: The Bungalow, 10 Old Vicarage Lane, Monk Fryston

Proposal: Outline consent for demolition of existing three bedroom dormer bungalow and erection of 3 detached houses with access and layout considered.

Councillor Ashton returned to the room and the Committee.

The Senior Planning Officer presented the application which had been brought before Planning Committee as 3.8.9(b)(vi) is triggered as there had been more than 10 letters of representation received that raised material planning considerations and where officers would otherwise determine the application contrary to these representations.

Members noted that the application was for outline consent for demolition of existing three bedroom dormer bungalow and erection of 3 detached houses with access and layout considered.

Planning Agent Chris Wayman was in attendance remotely and spoke in favour of the application.

Members debated the application expressing support for the way the Applicant and Agent had worked together to refine the application.

It was proposed and seconded that the application be GRANTED subject to conditions. A vote was taken on the Proposal and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions set out in paragraph 7 of the report.

51 2022/1106/OUT - FIELD HOUSE, SCHOOL LANE, BOLTON PERCY

Application: 2022/1106/OUT

Location: Field House, School Lane, Bolton Percy

Proposal: Outline application with all matters reserved for erection of detached dormer bungalow with garage and associated domestic curtilage on land adjacent to Mote Hill House and Oak View.

The Principal Planning Officer presented the application which had been brought before the Planning Committee as one of the Applicants (Mr R Musgrave) is a Ward Councillor for Selby District Council and the Council's scheme of delegation requires for the application to be determined by the Planning Committee.

Members noted that the application was for outline application with all matters reserved for erection of detached dormer bungalow with garage and associated domestic curtilage on land adjacent to Mote Hill House and Oak View.

Members noted the Officer Update Note which included additional comments

from third parties. Officers addressed the comments in the Officer Update Note and stated that the additional comments did not alter the recommendation to grant the application. The update also confirmed Yorkshire Water had no comments on this application.

The Committee asked the Principal Planning Officer for clarity on the status of the access road shown on the plan and the classification of the land to the rear of Oak View.

The Principal Planning Officer explained the access road was shared between the three properties shown on the plan and clarified that the land to the rear of Oak View did not form part of this application and was therefore not considered during this item.

Members asked when the Development Limit Plan was last set for the village of Bolton Percy and the Principal Planning Officer stated that the Development Limits were set as part of the Local Plan for Selby District and adopted in 2005.

Representative for the Applicant, Jennifer Hubbard, was in attendance and spoke in favour of the application.

Members debated the application noting that although the location was outside Development Limits, the proposed development would not extend development beyond that which has already been accepted and the addition of the proposed building would have minimal impact on the surrounding area.

It was proposed and seconded that the application be GRANTED. A vote was taken on the Proposal and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions set out in paragraph 7 of the report and the details set out in the Officer Update Note.

52 2020/0183/FUL - LAND AT THE PADDOCKS, YORK ROAD, NORTH DUFFIELD

Application: 2020/0183/FUL

Location: Land at The Paddocks, York Road, North Duffield

Proposal: Proposed erection of dwelling with integral garage and construction of access road on land to the west of land at The Paddocks.

Councillor Topping left the room. The Planning Committee meeting continued with Vice Chairman, Councillor Richardson, in the Chair.

The Principal Planning Officer presented the application which had been brought before the Planning Committee as its determination fell outside the

Agreed Scheme of Delegation contained in the Council's Constitution. The proposal is a 'minor' application which is recommended for approval contrary to the requirements of the Development Plan. The site is situated outside of the Development Limits of North Duffield and as such defined as open countryside.

Members noted that the application was for the proposed erection of a dwelling with integral garage and construction of access road on land to the west of The Paddocks.

Members noted the Officer Update Note which gave a history of planning applications determined relevant to the determination of this application.

The Committee asked the Principal Planning Officer why there had been a delay in bringing this application to Planning Committee.

The Principal Planning Officer and the Head of Planning explained this application had been complex and subject to extensions and changes of Officer which had caused the delay in bringing it before Planning Committee. The Principal Planning Officer explained that this application is part retrospective as work on the building began after 2018/1347/OUT was granted in 2019 but expired on 29 April 2022 while this current application was under consideration.

Planning Agent Jennifer Hubbard was in attendance and spoke in favour of the application.

Members debated the application noting the complexity of the application and the associated delay in bringing it to Planning Committee. Members debated the planning history of the site and the material considerations of the application noting development had progressed around the site which was approved at a time that Selby District Council did not have a 5 year housing land supply which weighed in favour of the applications. Members noted appreciation of the explanation in the report as to why Officers recommended the application be granted despite it being outside Development Limits for North Duffield.

It was proposed and seconded that the application be GRANTED. A vote was taken on the Proposal and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions set out in paragraph 7 of the report and the details set out in the Officer Update Note.

53 2022/0622/FUL - STONES4HOMES LTD, RICCALL AIRFIELD

Application: 2022/0622/FUL

Location: Stones4Homes Ltd., Riccall Airfield, Market Weighton Road, Barlby

Proposal: Continued use of land for the storage, bagging and sale of building aggregates and landscaping products (e.g. paving stones) and retention of

processing building and offices. (Retrospective).

Councillor Topping returned to the room and resumed as Chairman.

The Senior Planning Officer presented the application which had been brought before the Planning Committee as the proposal was contrary to the requirements of the development plan (namely Policy RIC/1 of the Selby District Core Strategy), but it was considered there were material considerations which would justify approval of the application.

Members noted that the application was for continued use of land for the storage, bagging and sale of building aggregates and landscaping products (e.g. paving stones) and retention of processing building and offices. (Retrospective).

Members noted the Officer Update Note which detailed comments from North Yorkshire County Council's Ecologist and noted that Natural England was yet to respond but had until the end of the consultation period on 19 December 2022 to make comments.

Members spoke in favour of the application noting a precedent had been set for granting previous similar applications on this site.

It was proposed and seconded that the application be GRANTED. A vote was taken on the Proposal and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions set out in paragraph 7 of the report and the details set out in the Officer Update Note following the expiration of the consultation period on 19 December 2022 and no further material considerations being raised.

54 EAST YORKSHIRE SOLAR FARM - NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

Helios Renewable Energy Project – Nationally Significant Infrastructure Project

The Assistant Principal Planning Officer presented the report which had been brought before Planning Committee for information purposes.

Members noted that the report recommended that the contents of the report be noted and that authorisation be sought from the Executive to authorise the Head of Planning and Interim Head of Regulatory Services in consultation with the relevant Executive Member 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.

Members asked for clarification on the next steps regarding the project's consultation and implementation.

The Assistant Principal Planning Officer outlined the upcoming actions which included a period of Statutory Consultation scheduled for the first and second quarter of 2023, followed by the submission of the application to the Planning Inspectorate later that year. The Assistant Principal Planning Officer explained the Planning Inspectorate would have 28 days to decide whether to accept the application. If accepted, the application would then be subject to examination by the Planning Inspectorate with relevant hearings and consultees and interested parties given the opportunity to make representations. The examination would be expected to take 6 months after which the Planning Inspectorate would make a recommendation to the Secretary of State for a decision.

It was proposed and seconded that the application be NOTED. A vote was taken on the Proposal and was carried.

RESOLVED:

The Planning Committee noted the contents of the report.

The meeting closed at 3.52 pm.