

## Planning Committee

Venue: Microsoft Teams Live Event - Remote  
Date: Wednesday, 5 August 2020  
Time: 2.00 pm

Present remotely via  
Teams Live Events: Councillor J Cattanach in the Chair

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

Officers Present  
remotely via Teams  
Live Events: Martin Grainger – Head of Planning, Ruth Hardingham –  
Planning Development Manager, Glenn Sharpe – Solicitor,  
Gary Bell – Principal Planning Officer, Rebecca Leggott –  
Senior Planning Officer, Chris Fairchild – Senior Planning  
Officer and Victoria Foreman – Democratic Services Officer

### **7 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P Welch. Councillor S Duckett was in attendance as a substitute for Councillor Welch.

### **8 DISCLOSURES OF INTEREST**

Councillors J Cattanach, I Chilvers, R Packham, D Mackay, M Jordan and J Mackman declared a non-pecuniary interest in agenda item 5.3 – Market Garden, Hull Road, Hemingbrough, as they had all received email representations on the application from the Ward Member, Councillor K Arthur.

Councillor M Topping declared a non-pecuniary interest in agenda item 5.3 – Market Garden, Hull Road, Hemingbrough as he had received email representations on the application from the Ward Member, Councillor K Arthur, and had also visited the application site a number of times before he became an elected Member.

### **9 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE**

The Chair informed Members that an Officer Update Note had been circulated and that the business would be taken in the order as set out on the agenda.

The Committee noted that details of any further representations received on

the applications would be given by the Officers in their presentations.

## 10 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 8 July 2020.

### RESOLVED:

**To approve the minutes of the Planning Committee meeting held on 8 July 2020 for signing by the Chairman.**

## 11 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following applications.

### 11.1 2020/0191/FUL - JUBILEE COTTAGE, 13 MAIN STREET, THORGANBY

**Application:** 2020/0191/FUL

**Location:** Jubilee Cottage, 13 Main Street, Thorganby

**Proposal:** Construction of 1 No. dwelling on land to the rear of Jubilee Cottage

The Principal Planning Officer presented the application which had been brought before Members of the Planning Committee at the discretion of the Head of Planning.

The Committee noted that the application was for the construction of 1 No. dwelling on land to the rear of Jubilee Cottage.

An Officer Update Note had been circulated to Members and made available on the Council's website that set out additional information and representations that had been made available since the publication of the report.

Section 1.6 of the report provided details of the relevant planning history and included application number 2018/1139/FUL, which was refused by the Planning Committee in November 2019 and subsequently appealed by the applicant. Since the report was written, the appeal decision had been received from the Planning Inspectorate. Details of the appeal decision were set out in the Officer Update Note.

The Inspector had concluded that the development "...*would not be in a suitable location having regard to the sustainable development aims of Policies SP2 and SP4 of the CS and the Framework...*", upholding the first

reason for refusal. The Inspector also considered that *“...the proposal would have a harmful effect on levels of privacy for occupants of the existing and proposed dwellings and on the quality of outlook for occupiers of Jubilee Cottage...”*, thereby also upholding the third reason for refusal. However, the Inspector stated that *“...whilst the dwelling would not reinforce the prevailing linear alignment of dwellings, I find that its design and specific position in this instance would not result in material harm to the significance of the CA...”*, so did not agree with the second reason for refusal.

The appeal decision represented a material consideration in the determination of the current application and, consequently, Officers were of the view that the second reason for refusal in the recommendation should be deleted. The remaining reasons for refusal would be consistent with the Inspector’s recent decision in which it was concluded that those matters attracted *“...significant weight...”* and were *“...firmly against the proposal”*. The Officer Update Note therefore also included details of the revised recommendation for refusal of the application.

*Councillor S Duckett joined the meeting at this point and as such was unable to take part in the debate or decision on this item, as she had missed part of the Officer’s presentation.*

Members asked questions of the Officer about the application, relating to impact on the character of the conservation area and village, and the visibility of the proposed dwelling. Officers confirmed that it was their view that the proposed development would have a detrimental impact on the linear nature and character of the village.

The Committee discussed the application and acknowledged a previous application on the same site, almost identical to the one under consideration, apart from the siting of the dwelling, had already been considered and refused in November 2019.

Members noted the decision of the Planning Inspectorate and that the Parish Council was still strongly opposed to the application. Members agreed that the Officer’s report was comprehensive and concluded that the application was unsuitable.

*At this point Councillor J Mackman left the remote*

*meeting due to technical difficulties and did not return.*

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

**RESOLVED:**

**To REFUSE the application for the following reasons:**

- 1. The site lies within the development limits of a secondary village which is a less sustainable location. The proposed development would result in backland development to the rear of other properties, and would not constitute the 'filling of a small linear gap in an otherwise built up frontage', or any of the other categories of development identified as acceptable in Secondary Villages in Policy SP4(a). The development is therefore contrary to Policy SP4(a) and consequently Policy SP2A(b), of the Core Strategy.**
- 2. The poor juxtaposition between the proposed dwelling and Jubilee Cottage would result in harm to the amenities of future and existing occupiers by reason of overlooking, loss of privacy and overbearing. As such the development is contrary to Policy ENV1 of the Selby District Local Plan and chapter 12 of the NPPF.**

**11.2 2020/0242/FUL - MANOR HOUSE, HULL ROAD, CLIFFE**

**Application:** 2020/0242/FUL

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

**Proposal:** Proposed conversion of domestic garage/store and stables to dwelling

The Senior Planning Officer presented the application which had been brought before 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 domestic garage/store and stables to dwelling.

An Officer Update Note had been circulated to Members and made available on the Council's website which set out an amendment made to paragraph 6.1 of the report for clarification. The Update Note explained that the proposal was contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan) but that this type of conversion of an existing rural building to residential was acceptable in principle in the NPPF and the overall spatial strategy for the District. Wording had also been added to paragraph 7.1 of the report which should read:

*'This application is recommended to be approved GRANTED subject to the following conditions:'*

Officers confirmed that the additional information in the Update Note did not alter the assessment made.

The Committee expressed the opinion that the application before them was appropriate and that they had no concerns with the proposal.

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

**RESOLVED:**

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

**11.3 2020/0376/FUL - MARKET GARDEN, HULL ROAD, HEMINGBROUGH**

**Application:** 2020/0376/FUL

**Location:** Market Garden, Hull Road, Hemingbrough

**Proposal:** Conversion of redundant building to form residential dwelling

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 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.

The Committee noted that the application was for the conversion of a redundant building to form a residential dwelling.

An Officer Update Note had been circulated to Members and made available on the Council's website that set out additional representations received from the Ward Member for Derwent, Councillor K Arthur. Officers advised that the representations should be read in conjunction with those found at paragraph 2.18 of the report.

Members asked questions relating to several matters, including flooding, flood zones and the permitted timescales for the conversion of buildings from agricultural to residential uses. The Senior Planning Officer confirmed he was satisfied that the agricultural building to be converted had been in situ for a number of years.

The Committee expressed their support for the application and it was subsequently proposed and seconded that permission be granted; a vote was taken on the proposal and was carried.

**RESOLVED:**

**To GRANT permission for the application, subject to the conditions set out at paragraph 7 of the report.**

The meeting closed at 3.08 pm.