

## Planning Committee

Venue: Microsoft Teams - Remote  
Date: Wednesday, 23 September 2020  
Time: 2.00 pm

Present remotely via Teams: Councillor J Cattanach in the Chair

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

Officers Present remotely via Teams: Martin Grainger – Head of Planning, Ruth Hardingham – Planning Development Manager, Glenn Sharpe – Solicitor, Rebecca Leggott – Senior Planning Officer, Jenny Tyreman – Senior Planning Officer, Victoria Foreman – Democratic Services Officer

### **26 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **27 DISCLOSURES OF INTEREST**

Councillor K Ellis declared a non-pecuniary interest in agenda item 5.1 – 2019/0110/COU – Far Farm, Mill Lane, Ryther as he knew the applicant well, and as such would leave the meeting and not take any part in the debate for this item.

All Committee members declared a non-pecuniary interest in agenda item 5.1 – 2020/0828/S73 - Quarry Drop, Westfield Lane, South Milford as they had received a number of additional representations in relation to the application.

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

The Chair announced 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 were also informed that an audio and video recording of the meeting would be made during consideration of agenda item 5.3 - 2020/0442/S73 - Post Office Store, 2 High Street, Cawood.

Lastly it was noted that details of any further representations received on the

applications would be given by the Officers in their presentations.

## **29 MINUTES**

The Committee considered the minutes of the Planning Committee meetings held on 5 and 26 August 2020 and 2 September 2020.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meetings held on 5 and 26 August 2020 and 2 September 2020 for signing by the Chairman.**

## **30 PLANNING APPLICATIONS RECEIVED**

The Planning Committee considered the following applications.

### **30.1 2019/0110/COU - FAR FARM, MILL LANE, RYTHUR**

*Councillor K Ellis left the meeting at this point.*

**Application:** 2019/0110/COU

**Location:** Far Farm, Mill Lane, Ryther

**Proposal:** Proposed change of use of land and buildings to that of a wedding venue including the creation of a total of 15 bedrooms for wedding guests, erection of 2 No lychgates, formation of a car park, demolition of some existing buildings, and formation of extension to accommodate 5 bedrooms, common room and kitchen to be constructed following the demolition of the pole barn

The Senior Planning Officer presented the application which had been brought before Planning Committee due to the replacement of Condition 5, requiring the two dwellings within the redline boundary not to be sold off separately to the Planning Unit (Wedding Venue), with a planning condition relating to noise levels. This was in order to resolve issues relating to impacts on residential amenity and in order to remove the requirement for a Unilateral Undertaking.

The Committee noted that the application was for the proposed change of use of land and buildings to that of a wedding venue including the creation of a total of 15 bedrooms for wedding guests, erection of 2 No lychgates, formation of a car park, demolition of some existing buildings, and formation of extension to accommodate 5 bedrooms, common room and kitchen to be constructed following the demolition of the pole barn.

In response to a question from Members, the Senior

Planning Officer confirmed that the installation of acoustic fencing was not deemed to be necessary as noise levels had been conditioned appropriately.

It was proposed and seconded that the application be approved subject to conditions; 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.**

**30.2 2020/0264/FUL - ST MARKS SQUARE, NEW LANE, SELBY**

*Councillor K Ellis re-joined the meeting at this point.*

**Application:** 2020/0264/FUL

**Location:** St Marks Square, New Lane, Selby

**Proposal:** Change of use of land into a community garden

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 change of use of land into a community garden.

Members queried if any surveys were required to protect the existing trees on the site during the works that would be undertaken; Officers confirmed that the planned works were not expected to have any significant impact on the trees and as such, no surveys or protections had been recommended. The Committee noted that the paths would all be made from wood chippings and no hard paving was planned.

Officers confirmed they were content that the site would be maintained and managed once it had been turned into a community garden.

Overall, the Committee supported the application as it would improve a piece of land that was currently overgrown and neglected.

It was proposed and seconded that the application be granted subject to conditions; a vote was taken on the proposal and was carried.

**RESOLVED:**

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

**30.3 2020/0442/S73 - POST OFFICE STORE, 2 HIGH STREET, CAWOOD**

**Application:** 2020/0442/S73

**Location:** Post Office Store, 2 High Street, Cawood

**Proposal:** Section 73 to vary conditions 02 (opening hours), 03 (extraction) & 04 (plans) of approval 2015/1230/RTR Prior approval for the change of use from use class A1 (Retail) to both A1 (Retail) and A3 (Cafe) uses

The Senior 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 where Officers would otherwise determine the application contrary to these representations.

The Committee noted that the application was for a Section 73 to vary conditions 02 (opening hours), 03 (extraction) & 04 (plans) of approval 2015/1230/RTR Prior approval for the change of use from use class A1 (Retail) to both A1 (Retail) and A3 (Cafe) uses.

An Officer Update Note had been circulated to Members and made available on the Council's website which explained that a number of comments had been received since publication of the report. Concerns had been raised about the use of the access to the rear of the Post Office, noise, odour and the impact on the mental health of occupants of neighbouring properties; however, Officers confirmed that this additional information did not alter the assessment that had been made.

Members asked questions on several matters, including the views of the Parish Council and Conservation Officer about the scheme, the number of representations received from outside of Cawood village, and the wording in Condition 2.

Officers explained that the Parish Council had initially objected to the scheme but had also sent a letter of support; as such, both sets of comments had been taken

into consideration.

The Committee acknowledged that the wording of the Conservation Officer's comments had raised concerns but were not considered to be strong objections to the scheme. With regards to the number of letters of support that had been received, Members noted that the majority had been from addresses within Cawood and a handful from outside of the village.

Officers confirmed that the main business at the application site was a Post Office, but that the cooking of food was becoming an integral business activity, and as such, the wording of Condition 2 was felt to be appropriate. However, Members agreed that Condition 2 should be amended to reflect the fact that the applicants should install the appropriate equipment before implementing the permission.

It was agreed that such changes to the wording of Condition 2 should be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.

It was therefore proposed and seconded that the application be granted subject to the conditions set out in the report and subject to the rewording of Condition 2, as delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Committee. A vote was taken on the proposal and was carried.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report and the rewording of Condition 2, which was to be delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee.**

**30.4 2020/0828/S73 - QUARRY DROP, WESTFIELD LANE, SOUTH MILFORD**

**Application:** 2020/0828/S73

**Location:** Quarry Drop, Westfield Lane, South Milford

**Proposal:** Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house

The Senior Planning Officer presented the application

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

The Committee noted that it was a Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house.

An Officer Update Note had been circulated to Members and made available on the Council's website which explained that since the report had been written, fifteen letters of support had been received in respect of the application (eight from residents of South Milford, one from a resident of Sherburn in Elmet and six from people of unknown addresses). The letters of support set out that the proposed amendments to the application had no adverse impact on the residential amenities of the neighbouring properties beyond the original permission, and that the resultant dwelling would have an acceptable design and appearance, in keeping with the local area, which would result in no adverse impact on the character and appearance of the area beyond the original permission. The rationale for the amendments were sound and the family were working hard to build the dwelling under difficult circumstances.

The applicant had submitted written representations in response to objector comments and covered a number of points including reasons for the delays in build time, which had been due to land ownership issues, site hoarding along the Westfield Lane boundary and having to re-apply for planning permission and a Certificate of Lawfulness. The applicant also advised that they would be willing to accept a condition to limit the time to complete the development. Officers explained to the Committee that such a condition would not meet the required six tests and was not reasonable or enforceable. This had been confirmed by an Inspector under the appeal relating to planning permission reference 2018/0800/FUL.

The applicant also stated that even though the site was located within Flood Zone 1, it had flooded before, and therefore the applicant would like to move the bedroom from the ground floor.

The applicant went on to explain that the number of reported breaches of planning control were not as high as stated by the objectors, and many of these related to working hours, and that they had worked with the Council on the working hours condition to ensure it was appropriate.

Lastly, the Committee were informed that vehicles parked on High Street were not material to the application, and that the application had given objectors an opportunity to raise this as a general issue.

Members considered the application and expressed some concerns around the increase in height of the building, and suggested that street scenes and further images be presented to the Committee before a decision was taken, as well as a comparison with the original permission.

Officers confirmed that such a comparison would be possible and that this information could be brought back to the Committee at a later date. However, some Members felt that there was enough information before them to take a decision and that the Committee should do so.

Officers shared some further images and plans that compared the application under discussion and the permission granted in 2010. The Committee considered the images with some Members feeling that the increase in height changed the character and scale of the building significantly, and that there were a number of other issues that required further clarity.

Officers explained that as an organised group site visit was not currently possible due to the Covid-19 pandemic, Officers could instead bring the application back to Members with further images and information to inform their decision.

Members considered this and agreed that the application should be deferred in order for more visuals to be gathered by Officers and brought back to the Committee at a future meeting. Members were also reminded that they could visit the site on an individual basis if they so wished.

It was proposed and seconded that the application be deferred in order for more visuals and information to be gathered and presented back to the Committee. A vote

was taken on the proposal to defer and was carried.

**RESOLVED:**

**To DEFER consideration of the application in order for Officers to gather further visual information, and that this information be presented to the Committee again at a subsequent meeting.**

The meeting closed at 3.50 pm.