

## Planning Committee

Venue: Microsoft Teams - Remote  
Date: Wednesday, 25 November 2020  
Time: 2.00 pm

Present remotely via Teams: Councillor J Cattanach in the Chair

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

Officers Present remotely via Teams: Martin Grainger – Head of Planning, Ruth Hardingham – Planning Development Manager, Glenn Sharpe – Solicitor, Gareth Stent – Principal Planning Officer, Mandy Cooper – Principal Planning Officer, Gary Bell – Principal Planning Officer, Victoria Foreman – Democratic Services Officer

### **46 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Steve Shaw-Wright. Councillor S Duckett was in attendance as a substitute for Councillor Shaw-Wright.

### **47 DISCLOSURES OF INTEREST**

Councillors J Cattanach, J Mackman, M Topping, D Mackay, R Packham, S Duckett, I Chilvers and P Welch declared a non-pecuniary interest in agenda item 5.1 – Highfield Nursing Home, Scarthingwell Park, Barkston Ash, Tadcaster as they had received additional representations in relation to this application.

Councillor K Ellis declared a personal interest in agenda item 5.4 – Old Forge Cottage, main Street, Church Fenton as the application was for his own residence; as a result, Councillor Ellis confirmed that he would leave the meeting during consideration thereof.

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

Members noted that details of any further representations received on the applications would be given by the Officers in their presentations.

## 49 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 11 November 2020.

### RESOLVED:

**To approve the minutes of the Planning Committee meeting held on 11 November 2020 for signing by the Chairman.**

## 50 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications:

### 50.1 2020/0294/FULM - HIGHFIELD NURSING HOME, SCARTHINGWELL PARK, BARKSTON ASH, TADCASTER

**Application:** 2020/0294/FULM

**Location:** Highfield Nursing Home, Scarthingwell Park, Barkston Ash, Tadcaster

**Proposal:** Proposed demolition of existing two storey care home (Class C2), and erection of replacement two storey care home (Class C2) comprising 70 single en-suite bedrooms together with associated car parking, (50 spaces), access arrangements and landscaping

The Principal Planning Officer presented the application which had been brought before Planning Committee as it constituted inappropriate development in the Green Belt, but it was considered that there were Very Special Circumstances which justified approval of the proposal. In addition, more than 10 letters of objection from local residents had been received in response to the proposal.

The Committee noted that the application was for the proposed demolition of existing two storey care home (Class C2), and erection of replacement two storey care home (Class C2) comprising 70 single en-suite bedrooms together with associated car parking, (50 spaces), access arrangements and landscaping.

The Solicitor announced that there was an Officer Update Note that should have been circulated to the Committee, which had now been published on the Council's website and shared with Members. Officers displayed the Update Note on screen for the Committee to read, and the Principal Planning Officer took the Committee through it for the current item to ensure they understood the content. The Update Note set out details of an updated Table 36 (Older Persons' Dwelling Requirements 2014 to 2037) and explanation, amended

Conditions 6, 19 and 20, and gave details of an additional condition 24 relating to electric vehicle charging points.

The Committee discussed the application and asked questions relating to the Tree Preservation Order on the site, the tree survey and the subsequent classification of said trees, and discussed the various directions of vehicular access and approach to the site, including which was most appropriate for the demolition and construction traffic. Members noted that the nearby church was in use and was well preserved.

Mr Joel Turner from Barchester Healthcare Ltd., applicant, was invited remotely into the meeting and spoke in favour of the application.

Mr James Key, objector, was invited remotely into the meeting and spoke against the application.

Members debated the application and agreed that whilst it could be considered inappropriate development in the Green Belt, the very special circumstances outweighed any potential harm. The Officer's report was extensive and detailed and set out a clear case for the scheme's approval. The Committee asked if a one way traffic system could be implemented to manage the traffic that would be accessing and leaving the site during demolition and construction, but Officers explained that the conditions set out in the report had been recommended by the Highways Officer at North Yorkshire County Council and as such, it was not advisable to deviate from these, i.e. there could be significant implications for the Tree Preservation Order if vehicles were able to access the site from the south.

Members agreed that there were sufficient conditions in the Officer's report to control access, and that the accommodation for older people that was to be provided by the new nursing home was much needed.

It was therefore proposed and seconded that the Committee were MINDED TO APPROVE; a vote was taken on the proposal and was carried.

**RESOLVED:**

**The Committee were MINDED TO APPROVE subject to:**

- a) the expiry of the press notice**

advertising the proposal as a departure from the Development Plan and subject to no further representations being received which raise new issues;

- b) referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 with the Planning Committee's resolution to support it; and
- c) that in the event that the application was not called in by the Secretary of State, authority be delegated to the Planning Development Manager to approve the application subject to the imposition of the schedule of conditions as set out at paragraph 7 of the report and the amended and additional conditions in the Officer Update Note. The delegation would include the alteration, addition or removal of conditions from that schedule if amendment were necessary as a result of continuing negotiations and advice, and provided such condition(s) met the six tests for the imposition of conditions and satisfactorily reflected the wishes of the Planning Development Manager; and
- d) that in the event that the application was called in for the Secretary of State's own determination, a further report would come to the Planning Committee.

**50.2 2020/0343/FUL - LAND ADJACENT TO PARK FARM, MAIN STREET, SKIPWITH**

*Councillor M Topping left the meeting at this point.*

**Application:** 2020/0343/FUL

**Location:** Land Adjacent to Park Farm, Main Street, Skipwith

**Proposal:** Proposed erection of detached dwelling and garage on land adjacent to Park Farm

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. However, Officers considered there were material considerations which would support the recommendation for approval.

The Committee noted that the application was for the proposed erection of detached dwelling and garage on land adjacent to Park Farm.

The Committee discussed the application and asked for confirmation that the site was outside development limits and in the open countryside; Officers confirmed that it was. Officers also verified that an additional application had been submitted to the Planning Department in relation to the adjacent Park Farm site (approved under planning ref: 2018/0051/FULM) for some amendments to the plans; a decision for this subsequent application was currently pending.

Some Members felt that the application should not be approved as it was inappropriate development outside of statutory development limits in a secondary village, on land designated as open countryside and as such it contravened and undermined policies SP2, SP4 and SP10 of the Core Strategy. Material planning considerations did not outweigh policy considerations, back land development outside development limits in the open countryside was not supported by any exceptional circumstances and therefore there were none to justify approval of the scheme. There would also be detrimental impacts to the amenity of the neighbouring property (No.4 Blue Bell Farm Court) due to an inadequate separation distance, leading to issues of overlooking, overshadowing and oppressive outlook, which could not be rectified by condition. Lastly, the Council already had a five-year housing land supply and as such, policies such as prevention of development in the open countryside should not be contravened for applications such as the one under consideration.

Other Members of the Committee did not agree with the reasons for refusal. They felt that the even though site was outside of the development limits, Members should examine each application in the context of the current situation, which was a plot of land that was surrounded by development on three sides. There would therefore be no benefit to retaining the site in its current state.

It was proposed and seconded that the application be REFUSED, for the reasons set out above. A vote was taken on the proposal and was lost.

It was proposed and seconded that the application be APPROVED, subject to the conditions set out in the report. 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.**

**50.3 2020/0344/FUL - LAND ADJACENT A19, STATION ROAD, RICCALL**

*Councillor M Topping re-joined the meeting at this point.*

**Application:** 2020/0344/FUL

**Location:** Land Adjacent A19, Station Road, Riccall

**Proposal:** Proposed new dwelling on land adjacent

The Principal Planning Officer presented the application which had been brought before Planning Committee as more than 10 letters of support had been received and Officers would be otherwise making the decision to refuse the application contrary to this support.

The Committee noted that the application was for a proposed new dwelling on land adjacent.

An Officer Update Note had been circulated to the Committee which set out details of a revised highway response following the submission of amended plans showing a partial parking space; North Yorkshire County Council as the Highways Authority had withdrawn its objection to the scheme. The partial parking space was satisfactory and in line with North Yorkshire County Council parking standards, which were one space per one-bed dwelling. This negated reason for refusal No. 3, which was recommended for withdrawal.

The Committee discussed the application and asked questions about construction materials, the street view, designation and surrounding two-storey properties and the parking space detailed in the plans.

Members debated the proposed scheme, with some of

the Committee of the opinion that the application was for a unique and contemporary development that could work well in the surrounding streetscape. However, other Members felt that it was not keeping with the local area.

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

It was proposed and seconded that the application be REFUSED for the reasons set out in the report. A vote was taken on the proposal and was carried.

**RESOLVED:**

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

- 1. The proposed development fails to preserve and enhance the character of the local area on account of its contrived nature, design and scale. The dwelling relates poorly to that of the surrounding built form and will appear isolated and over dominate the open and green character of Station Road. The proposal is therefore contrary to Policy ENV1 (1) and (4), of the Selby District Local Plan, Policy SP 4 c) and d) and SP19 of Core Strategy and Section 12 of the NPPF.**
- 2. The proposal by virtue of its scale and positioning will be oppressive and dominate the outlook from the rear elevations and gardens of No.5-7 Mount Park. This will cause a reduction in the quality of the living conditions of these residents. Likewise, due to the restricted nature of the site, restricted outlook and lack of amenity space, the development will lead to a substandard living environment for its future occupiers. The proposal is therefore considered to be contrary to policy ENV 1 (1) of the Selby District Local Plan, SP19 of Core Strategy and Section 12 of the NPPF.**

The Chair informed Members that they would soon need to vote to continue the meeting; it was subsequently proposed and seconded that the meeting should continue when the three-hour limit was reached. A vote was taken on the proposal and was carried.

**RESOLVED:**

**That the meeting continue when the three hour limit was reached.**

*Councillor K Ellis left the meeting at this point as he had declared a personal interest in the next application.*

**50.4 2020/1139/S73 - OLD FORGE COTTAGE, MAIN STREET, CHURCH FENTON**

**Application:** 2020/1139/S73

**Location:** Old Forge Cottage, Main Street, Church Fenton

**Proposal:** Section 73 application to vary condition 02 (plans) of approval 2018/0391/HPA Proposed erection of a double garage granted on 07.06.2018

The Principal Planning Officer presented the application which had been brought before Planning Committee as the application had been made by a District Councillor.

The Committee noted it was a Section 73 application to vary condition 02 (plans) of approval 2018/0391/HPA Proposed erection of a double garage granted on 7 June 2018.

An Officer Update Note had been circulated to the Committee which confirmed that no objections had been received from North Yorkshire County Council Highways.

It was proposed and seconded that the Committee were MINDED TO GRANT the application, subject to expiry of the publicity period and the conditions set out in the report. A vote was taken on the proposal and was carried.

**RESOLVED:**

- i. **The Committee were MINDED TO GRANT the application following the expiry of the publicity period which would end on 27 November 2020 and subject to no new issues being raised.**

- ii. **To delegate authority to the Planning Development Manager to approve the application subject to the conditions set out at paragraph 7 of the report.**

**50.5 2020/0612/FUL - LAND ADJACENT TO NO 3, CHAPEL COURT, CAMBLESFORTH**

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

**Application:** 2020/0612/FUL

**Location:** Land Adjacent to No.3, Chapel Court, Camblesforth

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

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. However, Officers considered there were material considerations which would support the recommendation for approval.

The Committee noted it was an application for the erection of a detached dwelling and garage.

It was proposed and seconded that the application be GRANTED subject to the conditions set out in the report. 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.**

The meeting closed at 5.05 pm.