

Planning Committee

Venue: Microsoft Teams - Remote
Date: Wednesday, 28 April 2021
Time: 2.00 pm

Present remotely via Teams: Councillor J Cattanach in the Chair

Councillors K Ellis, I Chilvers, R Packham, D Mackay and S Shaw-Wright

Officers Present remotely via Teams: Martin Grainger – Head of Planning, Ruth Hardingham – Planning Development Manager, Glenn Sharpe – Solicitor, Gareth Stent – Principal Planning Officer, Diane Holgate – Principal Planning Officer, Rebecca Leggott – Planning Project Officer, Jenny Tyreman – Assistant Principal Planning Officer, Victoria Foreman – Democratic Services Officer

79 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Topping, J Mackman and P Welch.

Councillor T Grogan was in attendance as a substitute for Councillor Topping. Councillor C Pearson was in attendance as a substitute for Councillor Mackman.

80 DISCLOSURES OF INTEREST

Councillors J Cattanach, I Chilvers, C Pearson, D Mackay, K Ellis, S Shaw-Wright and R Packham declared a non-pecuniary interest in agenda item 5.2 – 2020/1126/COU – Hillam Lane, Hillam, Leeds, as they had all received a written representation on the application from the Ward Member Councillor J Mackman. Those Members who declared the interest were not required to leave the meeting during consideration thereof.

81 MINUTES

The order of the agenda was amended slightly due technical issues with the Chair's computer and his access to the agenda.

The Committee considered the minutes of the Planning Committee meeting held on 7 April 2021.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 7 April 2021 for signing by the Chairman.

82 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair thanked Councillor J Mackman, Vice Chair of the Committee, for chairing the previous meeting in his absence.

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.

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

83 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications:

83.1 2020/0776/FULM - SELBY DISTRICT COUNCIL - OLD CIVIC CENTRE, PORTHOLME ROAD, SELBY

Application: 2020/0776/FULM

Location: Selby District Council – Old Civic Centre, Portholme Road, Selby

Proposal: Redevelopment of the Site to provide 102 residential units (Use Class C3), along with associated parking provision, construction of the vehicular access onto Portholme Road and laying out of open space

The Senior Planning Officer presented the application which had been brought before Planning Committee as directed by the Head of Planning due to the history of Selby District Council as a landowner for part of the site.

Members noted that the application was for the redevelopment of the site to provide 102 residential units (Use Class C3), along with associated parking provision, construction of the vehicular access onto Portholme Road and laying out of open space.

The Officer Update Note stated that since publication of the Officer's report further discussions had taken place with North Yorkshire County Council Highways in order to ensure that condition 32 was more concise; a revised condition 32 was included in the update note. The

additional information did not change the assessment made in the report.

The Committee asked questions around ecological benefits, as well as the number of car parking spaces, school places and open space.

Officers explained that there would be some open space on site, but that contributions would be accepted for the provision of it elsewhere, the precise location of which would be in the town but addressed in more detail in the S106 Agreement.

Members noted that in respect of the current application, there were fewer car parking spaces on site compared to the 2019 planning permission, but that there were now also fewer units.

Some Members were disappointed with the level of affordable housing that had been agreed and felt that it was not enough.

Officers confirmed that an independent expert had been instructed to advise the Council on levels of affordable housing and that viability had been properly negotiated; 10% had been the level recommended to Officers.

Chris Scoffield, applicant, was invited remotely into the meeting and spoke in support of the application.

Members debated the application and were pleased to see the inclusion of electric vehicle charging points on the site, but again expressed their concerns at the lack of adequate play space provision.

In accordance with the Officer's report it was proposed and seconded to APPROVE the application; a vote was taken on the proposal and was carried.

RESOLVED:

The Committee APPROVED the application, subject to the prior completion of a Section 106 Agreement relating to affordable housing; education contributions; maintenance and management of open space; waste and recycling; and highway improvement works, and subject to the conditions and informatives set out at paragraph 7 of the report and in the Officer Update

Note.

83.2 2020/1126/COU - HILLAM LANE, HILLAM, LEEDS

Application: 2020/1126/COU

Location: Hillam Lane, Hillam, Leeds

Proposal: Change of use of land to use as a residential caravan site for 6 gypsy/traveller families, each with two caravans and an ancillary amenity building, together with the laying of hardstanding and construction of new access

The Principal Planning Officer presented the application which had been brought before Planning Committee at the request of the Head of Planning as the site was located within the Green Belt as defined by the Selby District Local Plan 2005, the application was controversial and there was significant interest in the application.

Members noted that the application was for change of use of land to use as a residential caravan site for 6 gypsy/traveller families, each with two caravans and an ancillary amenity building, together with the laying of hardstanding and construction of new access.

The Officer Update Note set out a correction to the speed limit on Hillam Lane from 30mph to 60mph, further information from the agent to the application relating to the personal circumstances of the applicants and their families, that it be delegated to the Head of Planning to issue the decision following the expiry of the additional round of publicity in the local paper, and an additional representation received from Councillor J Mackman, Ward Councillor.

In response to a question from the Committee, Officers confirmed that there were no current occupants on the site, and there had not been since February 2021.

Julie Sadler, objector, was invited remotely into the meeting and spoke against the application.

Stuart Vendy of Cunnane Town Planning, on behalf of Hillam Parish Council, was invited remotely into the meeting and spoke against the application.

Members debated the application and acknowledged the Officer's view that that the amended wording relating to ecological impact as suggested by one of the speakers

could be adopted, but that it was better to be non-specific as baseline information was not available.

In accordance with the Officer's report it was proposed and seconded to REFUSE the application; a vote was taken on the proposal and was carried.

RESOLVED: To

a) REFUSE the application for the following reasons:

1. Green Belt

The proposal is considered to be inappropriate development and harmful to the Green Belt. It has not been demonstrated that there are any very special circumstances that would outweigh the harm to the Green Belt by inappropriateness. The proposal will have an impact on the openness of the Green Belt visually and spatially along with the level of permanence. The proposal is therefore contrary to Policy SP3 of the Core Strategy Local Plan (2013) and paragraphs 133, 134, 143-145 of the NPPF.

2. Lack of need

The proposal in principle as a Gypsy and Traveller Site is considered to be unacceptable as the Local Planning Authority can demonstrate a 5 year supply and alternative sites that are available and as such there is no unmet need. The proposal is therefore contrary to Policy SP11 of the Core Strategy (2013) and the Planning Policy for Traveller Sites (DCLG, August 2015).

3. Unsustainable development

The proposal is considered to be unsustainable development as set out by Chapter 2 of the NPPF, in that it does not deliver the overarching objectives as set out by Paragraph 8 of the NPPF by virtue of failing to reflect the character,

needs and opportunities of the area. The proposal would occupy a site which is classified as very good agricultural land and as such will sterilise its future use compromising the ability of future generations to meet their own needs. The proposal will be wholly reliant on private vehicles to access local facilities to meet the occupiers day to day needs.

4. Insufficient information – Ecology

Insufficient information has been provided for the Local Planning Authority to properly assess the impact of harm or mitigation required with regards to biodiversity. The proposal is therefore considered to be contrary to Policy SP18 Protecting and Enhancing the Environment of the Core Strategy, saved Policies ENV9 and ENV14 of the Local Plan and paragraphs 175 to 177 of the NPPF.

5. Insufficient information – Highways and amenity

Insufficient information has been provided for the Local Planning Authority to properly assess the impact on highway safety, the impact on the wider transport network and impact on residential amenity. The proposal is therefore considered to be contrary to Saved policies ENV1 (1) and ENV2, T1a and T2 of the Selby District Local Plan 2015 and Paragraphs 109 and 127 of the NPPF.

INFORMATIVE

The Local Planning Authority has requested further information from the applicant in order to consider if any Very Special Circumstances can be identified. Despite the efforts no further information has been received. Without further information the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise

sustainable development. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

b) delegate to the Head of Planning the issuing of the decision following the expiry of the additional round of publicity in the local paper.

83.3 2019/1027/EIA - BROWNFIELD SITE, OLYMPIA PARK, BARLBY ROAD, BARLBY

Application: 2019/1027/EIA

Location: Brownfield Site, Olympia Park, Barlby Road, Barlby

Proposal: Proposed site preparation and construction of an access road to facilitate the wider Olympia Park development site with associated development and infrastructure including: modification of existing junctions; ground re-profiling and creation of an earth embankment; temporary site compound; drainage infrastructure including temporary and permanent drainage ditches, new culverts and discharge to watercourse; new landscaping and an ecological enhancement zone; creation of new junctions, pedestrian and cycle routes; a new gatehouse to the existing Potter Group Logistics site; and other associated infrastructure

The Principal Planning Officer presented the application which had been brought before Planning Committee as it was for a key major strategic development within the Selby District, and accompanied by an Environmental Impact Statement.

Members noted that the application was for the proposed site preparation and construction of an access road to facilitate the wider Olympia Park development site with associated development and infrastructure including: modification of existing junctions; ground re-profiling and creation of an earth embankment; temporary site compound; drainage infrastructure including temporary and permanent drainage ditches, new culverts and discharge to watercourse; new landscaping and an ecological enhancement zone; creation of new junctions, pedestrian and cycle routes; a new gatehouse to the existing Potter Group Logistics site; and other associated infrastructure.

The Officer Update Note detailed amendments to the Heads of Terms No.3 and changes to the wording of Conditions 18 and 19.

The Committee asked about the modification of the existing road junction on the A63 and whether it would be possible to condition access by vehicles using the site. Officers explained that it would be difficult to condition this, and that the change to the junction was for widening on one side to provide better access when the site became busier.

Members debated the application and expressed their support for the scheme.

In accordance with the Officer's report it was proposed and seconded to GRANT permission; a vote was taken on the proposal and was carried.

RESOLVED:

To GRANT permission subject to the completion of a Section 106 Agreement, the conditions set out at paragraph 7 of the report and in the Officer Update Note.

83.4 2021/0076/CPO - DRAX POWER STATION, NEW ROAD, DRAX

Application: 2021/0076/CPO

Location: Drax Power Station, New Road, Drax

Proposal: Drax Bioenergy with Carbon Capture and Storage Project (BECCS) – Nationally Significant Infrastructure Project

The Senior Planning Officer presented the report which asked that the content be noted and that Members agreed to support the NSIP application in principle, subject to agreement in relation to specific and localised matters of detail. The report also asked Members to support that authorisation be sought from the Executive to authorise the Director of Economic Regeneration and Place, in consultation with the Executive Member for Place Shaping, 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 noted that the application had been brought before Planning Committee for information purposes.

Members considered the report in full and expressed their support for the scheme, which was essential for the reduction of carbon.

In accordance with the Officer's report, the recommendations were proposed and seconded; a vote was taken and was carried.

RESOLVED:

The Committee:

- i. noted the content of the report and agreed to support the NSIP application in principle, subject to agreement in relation to specific and localised matters of detail; and**
- ii. supported that authorisation be sought from the Executive to authorise the Director of Economic Regeneration and Place, in consultation with the Executive Member for Place Shaping, 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.**

The meeting closed at 3.50 pm.