

## Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 6 June 2018
Time:	2.00 pm
Present:	Councillor J Cattanach (Chair), D Peart (Vice-Chair), I Chilvers, J Deans, R Packham, P Welch, D Buckle and I Reynolds
Officers Present:	Martin Grainger, Head of Planning, Ruth Hardingham, Planning Development Manager, Kelly Dawson, Senior Solicitor, Alpha Love-Koh, Solicitor, Andrew Martin, Principal Planning Officer, Fiona Ellwood, Principal Planning Officer, Andrew Watson, Planning Officer, Ann Rawlinson, Principal Planning Officer, Simon Eades, Senior Planning Officer and Victoria Foreman, Democratic Services Officer.
Press:	2
Public:	15

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mike Jordan, Richard Musgrave and Liz Casling.

Councillor Ian Reynolds was in attendance as a substitute for Councillor Musgrave and Councillor David Buckle as a substitute for Councillor Jordan.

### **2 DISCLOSURES OF INTEREST**

All Committee Members declared that they had received information in relation to agenda item 6.4 - 2017/1346/FUL – Peartree Farm, Main Street, Saxton, but had not expressed opinions on the scheme.

Councillor I Reynolds declared a non-pecuniary interest in relation to agenda items 6.1 – 2016/1077/FULM – Staynor Hall, Abbots Road, Selby and 6.2 – 2017/0853/EIA – Staynor Hall, Abbots Road, Selby, as he was a Managing

Partner at Stephenson who had acted for the owners of Staynor Hall in the past. Councillor Reynolds confirmed that he would remain in the meeting during consideration of the application, but would not take part in the debate or vote.

Councillor I Reynolds also declared a pecuniary interest in agenda item 6.3 – 2016/1503/COU – Hollicarrs Holiday Park, York Road, Escrick, as the applicants was a client of the firm Stephenson, for which he was a Managing Partner. Councillor Reynolds confirmed that he would leave meeting during consideration of the application and would not take part in the debate or vote.

Councillor D Peart declared a non-pecuniary interest in agenda item 6.3 – 2016/1503/COU – Hollicarrs Holiday Park, York Road, Escrick, as he had received email representations from some residents of Hollicarrs Holiday Park, but had not expressed opinions on the scheme.

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

The Chairman informed the Committee that an officer update note had been circulated.

The Committee noted that the order of the agenda had been adjusted to reflect the number of public speakers registered in relation to each application. The order of business would therefore be as follows:

1. 2018/0226/FUL- East End Cottage, Main Street, Thorganby
2. 2016/1503/COU – Hollicarrs Holiday Park, York Road, Escrick
3. 2017/1381/FUL – Land at Viner Station, Roe Lane, Birkin, Knottingley
4. 2016/1077/FULM – Staynor Hall, Abbots Road, Selby
5. 2017/0853/EIA – Staynor Hall, Abbots Road, Selby
6. 2017/1346/FUL – Peartree Farm, Main Street, Saxton
7. 2018/0391/HPA – Old Forge Cottage, Main Street, Church Fenton

### **4 SUSPENSION OF COUNCIL PROCEDURE RULES**

The Committee considered the suspension of Council Procedure Rules 15.1 and 15.6 (a) to allow for a more effective discussion when considering planning applications.

**RESOLVED:**

**To suspend Council Procedure Rules 15.1 and 15.6 (a) for the duration of the meeting.**

### **5 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 9 May 2018.

**RESOLVED:**

**To approve the minutes of the Planning Committee meeting**

**held on 9 May 2018 for signing by the Chairman.**

## **6 PLANNING APPLICATIONS RECEIVED**

The Committee considered the following applications.

### **6.1 2018/0226/FUL - EAST END COTTAGE, MAIN STREET, THORGANBY**

**Application: 2018/0226/FUL**

**Location: East End Cottage, Main Street, Thorganby**

**Proposal: Proposed demolition of existing dwellings, outbuildings and garages and the erection of 3 No. residential dwellings, garages and associated works and infrastructure (Amendment to planning permission 2016/1029/FUL)**

The Principal Planning Officer presented the application that had been brought to the Committee as Officers considered that although the proposal was contrary to the provisions of the Development Plan, there were material considerations that would justify approving the application.

Members noted that the application was for the proposed demolition of existing dwellings, outbuildings and garages and the erection of 3 No. residential dwellings, garages and associated works and infrastructure (Amendment to planning permission 2016/1029/FUL).

In relation to the officer update note, the Committee were made aware that an additional letter of representation had been received advising that buildings had been demolished on the site and concern had been raised regarding the potential impact on wildlife. It was subsequently noted from a site visit that the outbuildings to the rear of the site had been demolished; this would have required permission given that the site was located within the Conservation Area.

The Committee noted that as such, the previous planning permission was not considered to have been lawfully implemented, as the permission incorporated pre-commencement conditions which had not yet been discharged from the planning permission. It was therefore no longer considered that there was a fall-back position of an extant implementable planning permission; the recommended acceptability of the proposal in principle was based upon the ability to implement the existing planning permission.

Officers therefore recommended that consideration of the application be deferred to a future meeting of the Committee in order for officers to consider whether there were any other material considerations that could outweigh the existing conflict with Policy SP4 of the Core Strategy.

It was proposed and seconded that the application be deferred.

**RESOLVED:**

**To DEFER the application to a future meeting of the Committee in order for officers to give further consideration to the application.**

**6.2 2016/1503/COU - HOLLICARRS HOLIDAY PARK, YORK ROAD, ESCRICK**

Councillor Ian Reynolds left the meeting at this point.

**Application: 2016/1503/COU**

**Location: Hollicars Holiday Park, York Road, Escrick  
Proposal: Change of Use of land as an extension to an existing holiday park (caravan site) together with (in outline) a new laundry building and the construction of a package wastewater treatment plant: siting of caravans to provide classroom, cafe with WC accommodation and potting/machinery shed, additional parking and package wastewater treatment plant**

The Senior Planning Officer presented the application that had been brought to the Committee due to the significant amount of objections received.

Members noted that the application was for Change of Use of land as an extension to an existing holiday park (caravan site) together with (in outline) a new laundry building and the construction of a package wastewater treatment plant: siting of caravans to provide classroom, cafe with WC accommodation and potting/machinery shed, additional parking and package wastewater treatment plant.

In relation to the officer update note, the Committee were made aware that there were amendments to paragraphs 2.0 and 4.11 of the report, and that paragraph 4.38 should be deleted as it related to the same point referred

to in paragraph 4.36. There was also an amendment to the wording of condition 21. The order of conditions would also be amended and renumbered, with condition number 20 moved to condition 4.

Ralph Brough, objector, spoke in objection to the application.

Jennifer Hubbard, agent, spoke in support of the application.

The Committee debated the application further and asked the Officer a number of questions on the application regarding the SINC (Site of Importance for Nature Conservation), the nature of the occupation of the static caravans and the location of the ancient woodland near the application site.

It was proposed and seconded that the application be approved.

**RESOLVED:**

- i. **To APPROVE the application subject to the conditions set out in the Officer Update Note and paragraph 6.0 of the report.**
- ii. **To delegate authority to the Senior Planning Officer to finalise highways conditions with the relevant North Yorkshire County Council Highways Officer.**

**6.3 2017/1381/FUL - LAND AT VINER STATION, ROE LANE, BIRKIN, KNOTTINGLEY**

Councillor Ian Reynold re-joined the meeting at this point.

**Application: 2017/1381/FULM**

**Location: Land at Viner Station, Roe Lane, Birkin**

**Proposal: Proposed erection of a new grain store including a chemical store and roof mounted solar PV**

The Senior Planning Officer presented the application that had been brought to the Committee on the basis of concerns raised by Councillor Mackman which included impact on the local and strategic highway network, impact on local amenity, impact on flooding and over development of the site. In addition, more than 10

representations have been received which are contrary to the officer recommendation.

Members noted that the application was for the proposed erection of a new grain store including a chemical store and roof mounted solar PV.

In relation to the officer update note, the Committee were made aware of the additional information relating to neighbour comments, the use and storage of grain by JE Hartley farm business (including clarification from the agent on the matter), and the subsequent additional condition that no development should commence until details of how the grain store would be heated and powered had been submitted and agreed in writing with the local planning authority. The development would be carried out in accordance with the approved scheme satisfying this condition.

George Wright, objector, spoke in objection to the application.

Emma Winter, agent, spoke in support of the application.

The Committee debated the application further and asked the Officer a number of questions on the application regarding any recent expansion to the business, the need for more detailed blue line plans to be provided to the officers and Committee, and the usage of some buildings for unpermitted business uses.

Members felt that they required more information on the application, including on the unauthorised uses of some buildings, before they could take a decision. Some Members expressed a preference for a site visit; however, it was agreed that a decision on such a visit would be taken at a later date.

It was proposed and seconded that the application be deferred.

**RESOLVED:**

**To DEFER the application to a future meeting of the Planning Committee in order for additional plans and information on the application (including the unauthorised use of some buildings on the site) to be submitted by the applicant.**

**6.4 2016/1077/FULM - STAYNOR HALL, ABBOTS ROAD, SELBY**

**Application: 2016/1077/FULM**

**Location: Staynor Hall, Abbots Road, Selby**

**Proposal: Erection of 37 residential dwellings with associated highways infrastructure (Phase 3F)**

The Principal Planning Officer presented the application that had been brought to the Committee as it was EIA Development.

Members noted that the application was for the erection of 37 residential dwellings with associated highways infrastructure (Phase 3F).

In relation to the officer update note, the Committee were made aware that further clarification had been requested by the Solicitor to the Council regarding the methodology underpinning the calculation of affordable housing provision. The officer update note explained the calculation in detail, as well as additional work on refining the Heads of Terms for the proposed Section 106 agreement, the protection of Ancient Woodland and re-publicity due to the amendments to the layout of Phase 3F.

Robin McGinn, agent, spoke in support of the application.

The Committee debated the application further and asked the Officer a number of questions on the application regarding construction management and the size of bedrooms in the development. Members noted that the registered providers had confirmed they were happy with the proposed bedroom sizes.

Members agreed that an additional condition should be added to the permission requiring the use of a construction management plan.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to:**

- i. no objections following the further consultation on the latest layout amendments;**
- ii. a Section 106 agreement based upon**

**the Heads of Terms set out in the table in the Officer Update Note;**

- iii. the conditions set out at paragraph 6.0 of the report, an additional condition regarding a construction management plan, plus the following additional conditions relating to the adjoining Ancient Woodland:**

**‘No development shall commence until measures to safeguard to ensure the protection of the adjoining Ancient Woodland during the course of development have been implemented in accordance with a scheme that shall first have been submitted to, and approved in writing by, the local planning authority. Thereafter, unless otherwise agreed in writing by the local planning authority, the agreed measures shall be retained for the entire duration of construction works.**

**Reason: To safeguard the adjoining Ancient Woodland.’**

**6.5 2017/0853/EIA - STAYNOR HALL, ABBOTS ROAD, SELBY**

**Application: 2017/0853/EIA**

**Location: Staynor Hall, Abbots Road, Selby**

**Proposal: Proposed erection of 12 residential dwellings at Phase 3G**

The Principal Planning Officer presented the application that had been brought to the Committee as it was EIA Development.

Members noted that the application was for the erection of 12 residential dwellings at Phase 3G.

In relation to the officer update note, the Committee were made aware that further clarification had been requested by the Solicitor to the Council regarding the methodology underpinning the calculation of affordable housing provision. The officer update note explained the calculation in detail, as well as additional work on refining the Heads of Terms for the proposed Section 106



agreement, the protection of Ancient Woodland and re-publicity due to the amendments to the layout of Phase 3F.

Robin McGinn, agent, spoke in support of the application.

Members noted that there had been no re-publicity for Phase 3G, but agreed that an additional condition should be added to the permission requiring the use of a construction management plan.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to:**

- i. A Section 106 agreement based upon the Heads of Terms set out in the table in the officer update note;**
- ii. the conditions set out at paragraph 6.0 of the report, an additional condition regarding a construction management plan, plus the following additional conditions relating to the adjoining Ancient Woodland:**

**‘No development shall commence until measures to safeguard to ensure the protection of the adjoining Ancient Woodland during the course of development have been implemented in accordance with a scheme that shall first have been submitted to, and approved in writing by, the local planning authority. Thereafter, unless otherwise agreed in writing by the local planning authority, the agreed measures shall be retained for the entire duration of construction works.**

**Reason: To safeguard the adjoining Ancient Woodland.’**

**6.6 2017/1346/FUL - PEARTREE FARM, MAIN STREET, SAXTON**

**Application: 2017/1346/FUL**

**Location: Peartree Farm, Main Street, Saxton**  
**Proposal: Erection of a dwelling following demolition of a barn**

The Principal Planning Officer presented the application that had been brought to the Committee because 10 letters of support had been received contrary to the officer's recommendation for refusal.

Members noted that the application was for the erection of a dwelling following demolition of a barn.

The Committee debated the application further and asked the Officer a number of questions on the application regarding the local letters of support received for the application and the potential to convert the barn instead of demolishing it and building a new dwelling.

Members agreed with the Officer's recommendation that the application be refused; it was felt that there were no very special circumstances relating to the application that would outweigh the harm by reason of inappropriateness, as the application was within the green belt.

It was proposed and seconded that the application be REFUSED.

**RESOLVED:**

**To REFUSE the application for the reasons set out in paragraph 6.0 of the report.**

**6.7 2018/0391/HPA - OLD FORGE COTTAGE, MAIN STREET, CHURCH FENTON**

**Application: 2018/0391/HPA**

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

**Proposal: Proposed erection of a double garage**

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

Members noted that the application was for the proposed erection of a double garage.

It was proposed and seconded that the application be approved.

**RESOLVED:**

**To APPROVE the application subject to conditions set out in paragraph 6.0 of the report.**

**7 GASCOIGNE WOOD RAIL FREIGHT INTERCHANGE**

The Committee received the pre-application presentation in relation to a potentially significant development at the former Gascoigne Wood Colliery site off New Lennerton Lane, Sherburn in Elmet. Members' preliminary thoughts on the draft proposals were sought as part of an ongoing pre-application process.

Members noted the advice from the Committee's solicitor that informal pre-application discussions such as these were common practice for forthcoming developments and undertaken without prejudice to the rights of the Committee to consider the matter if and when it was presented for a decision.

Following the presentation, the Committee discussed the proposals in detail. Members emphasised the importance of ensuring that infrastructure issues such as road capacity and maintenance, bus and train provision and general transport planning were given due and serious consideration.

Members also emphasised the importance of ongoing consultation with local people, including the Sherburn Aero Club whose flight path may be affected by any potential development.

The applicants explained that they had already considered a number of issues in relation to the site, including ecology, flooding and landscaping to name but a few.

No pre-application decisions were made at the session and the Committee Members reserved their rights to make any decision as they saw fit in the future, should the proposals be submitted formally as an application to the Council.

**RESOLVED:**

**To note the report and the applicant's presentation.**

The meeting closed at 4.30 pm.