

Minute Extract of Planning Committee on 5 December 2018

**Minute 37.2 - Gascoigne Rail Freight Interchange, Former Gascoigne Wood Mine, New Lennerton Lane, Sherburn in Elmet**

*'At this point Councillor J Cattanach vacated the Chair.*

*Councillor D Peart, Vice-Chair, in the Chair.*

**Application:** 2018/0818/EIA

**Location:** Gascoigne Rail Freight Interchange, Former Gascoigne Wood Mine, New Lennerton Lane, Sherburn in Elmet

**Proposal:** Outline planning application with all matters (scale, appearance and layout) except access and landscaping reserved for the demolition of existing colliery buildings and construction of up to 186,000 sq m (approx. 2,000,000 sq ft) of Class B2/B8 and associated Class B1 floor space with supporting container storage area and associated buildings, trackside facilities, access and landscaping

The Principal Planning Officer presented the application which had been brought to committee since the scheme of delegation required either Environmental Impact Assessment or Departure applications to come to Committee.

The Committee noted that the application was for outline planning permission with all matters (scale, appearance and layout) except access and landscaping reserved for the demolition of existing colliery buildings and construction of up to 186,000 sq m (approx. 2,000,000 sq ft) of Class B2/B8 and associated Class B1 floor space with supporting container storage area and associated buildings, trackside facilities, access and landscaping.

In relation to the officer update note, the Committee acknowledged that additional representations had been received from the co-owners of Sherburn Aerodrome, York Ornithological Club and Samuel Smith Old Brewery. The Principal Planning Officer took Members through the representations and the Council's responses to them, as set out in the update note.

Members expressed concern over the size of the application area and the inclusion of a large amount of open agricultural land in it. Members also queried if the Council's Economic Development Framework and the Regional Transport for the North reports held any planning weight. Officers confirmed that they were material planning considerations and were thus capable of attracting some weight, the former particularly since it was adopted Council policy, but neither were a part of the development plan and thus did not attract the full weight of s.39 (6) – the presumption in favour of the development plan.

Messrs Dale Petty and Brian Bartle (at the Chair's discretion), representing objectors, spoke in objection to the application.

Stuart Natkus, agent, spoke in support of the application.

Members expressed further concerns about the application. It was felt that that Council planning policy had not been given enough weight against the level of development proposed in the application. The impact on traffic from the proposed scheme was also of major concern to the Committee. Members were of the opinion that with more houses due to be built in Sherburn, the development of Sherburn 2 industrial park and the likelihood of future workers all continuing to commute in from outside the District, the cumulative impact on surrounding highways would be detrimental.

The Committee were also unhappy with the potential impacts on Sherburn Aero Club, a facility that many local people enjoyed and used.

Members felt that further mitigation was required to address the comments made by York Ornithological Club that a red listed bird used the site. It was the view of the Committee that material considerations were not outweighed by the benefits of the scheme, and that more weight should be given to the Core Strategy.

The Head of Planning advised Members that the Officer recommendation was clear and in the update issues raised by objectors responded to. In addition, the issues raised relating to the Aero Club could be dealt with at the reserved matters stage. Furthermore it was suggested that if Members required further clarity on points or concerns raised in the debate then the matter could be deferred and brought back to Committee. This would provide an opportunity for Officers to give further clarifications in response to Members' concerns.

Members outlined their potential reasons for refusal:

- The application went against the Council's Development Plan, namely policies SP2 and SP13.
- The use of open agricultural land for a large part of the development was felt to be excessive and was of concern to the Committee.
- The cumulative impact of housing and development on the highways network, including the numbers of potential employees for Sherburn 2 and any potential development at Gascoigne Wood, causing further pressure on the surrounding roads.
- Insufficient information on ecology and biodiversity had been provided to Members, including inadequate consideration of comments from Yorkshire Ornithological Society about a red listed bird on site.
- The impacts of the proposal on Sherburn Aero Club required further mitigation.

It was proposed and seconded that the matter be deferred, with Members being minded to refuse the application. Officers were requested to undertake further research and obtain more information to strengthen the reasons for refusal set out above, before bringing it back to the Committee.

A vote was taken on the proposal and was carried.

**RESOLVED:**

- i. **That consideration of the application be DEFERRED, with Members minded to refuse the application for the following reasons:**
  - **The application went against the Council's Development Plan, namely policies SP2 and SP13.**
  - **The use of open agricultural land for a large part of the development was felt to be excessive and was of concern to the Committee.**
  - **The cumulative impact of housing and development on the highways network, including the numbers of potential employees for Sherburn 2 and any potential development at Gascoigne Wood from outside of the District, would cause further pressure on the surrounding roads.**
  - **Insufficient information on ecology and biodiversity had been provided to Members, including inadequate consideration of comments from Yorkshire Ornithological Society about a red listed bird on site.**
  - **The impacts of the proposal on Sherburn Aero Club required further mitigation.**
  
- ii. **That Officers undertake further research and obtain more information to strengthen the reasons for refusal set out above, before bringing the matter back to Committee.'**