

## Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 4 December 2019
Time:	2.00 pm
Present:	Councillor J Cattanach in the Chair  Councillors I Chilvers, R Packham, P Welch, M Topping, K Ellis, D Mackay, M Jordan and J Mackman (Vice-Chair)
Officers Present:	Martin Grainger – Head of Planning, Ruth Hardingham - Planning Development Manager, Kelly Dawson – Senior Solicitor, Frances Maxwell – Solicitor, Laura Holden – Planning Officer, Gary Bell – Principal Planning Officer, Gareth Stent – Principal Planning Officer, Rebecca Leggott – Senior Planning Officer, Victoria Foreman – Democratic Services Officer
Press:	1
Public:	16

### **26 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **27 DISCLOSURES OF INTEREST**

Councillor R Packham declared a personal and prejudicial interest in agenda item 5.2 – The Orchards, Church Street, Church Fenton and as such would leave the meeting during consideration thereof.

Councillor P Welch declared a non-pecuniary interest in agenda item 5.1 – 1 Bungalow Road, Barby as he was Ward Councillor and had been contacted by local residents about the application. Councillor Welch confirmed that he had not expressed an opinion on the application and remained open minded, and as such would participate in the debate and decision.

Councillor K Ellis declared a personal interest in agenda item 5.7 – Far Farm, Mill Lane, Ryther, and confirmed that whilst he would remain in the room, he would not take part in the debate or decision on the application.

Councillor I Chilvers declared a personal interest in agenda item 5.3 – Unicorn Inn, Bondgate, Selby as his son worked in a premises near to the application site, but confirmed that he would take part in the debate and decision on the application.

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

There was no Chair's address to the Committee.

## **29 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 6 November 2019.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 6 November 2019 for signing by the Chairman.**

## **30 PLANNING APPLICATIONS RECEIVED**

The Planning Committee considered the following applications:

### **30.1 2019/0751/FUL - UNICORN INN, BONDGATE, SELBY**

**Application:** 2019/0751/FUL

**Location:** Unicorn Inn, Bondgate, Selby

**Proposal:** Retrospective application for a stage and change of use of garage to outside bar/store, with bin store fenced area

The Principal Planning Officer presented the application which had been brought before Committee at the request of the local ward councillor on the grounds of loss of residential amenity due to potential noise disturbance.

The Committee noted that the application was a retrospective application for a stage and change of use of garage to outside bar/store, with bin store fenced area.

Members asked questions relating to potential future applications that could be submitted to vary or increase the number of events, and if any such applications would come back to for consideration by Members. The Principal Planning Officer confirmed that such applications could be submitted in the future and may require consideration by the Planning Committee.

Steve Ward, objector, spoke in objection to the application.

Councillor Jennifer Shaw-Wright, Ward Councillor, spoke in objection to the application.

The Committee debated the application and commented on the difficulty at times of balancing the needs of local businesses with those of residential amenity. It was felt by some Members that any potential impact to residential amenity should be monitored under a temporary consent.

It was proposed and seconded that the application be GRANTED.

It was proposed, seconded and carried that the recommendation to GRANT permission be amended to a two year temporary consent, in order for any potential impact of the application on residential amenity to be properly monitored.

**RESOLVED:**

**To GRANT the application on a two year temporary consent basis, subject to the conditions set out at paragraph 7 of the report.**

**30.2 2019/0108/FUL - THE ORCHARDS, CHURCH STREET, CHURCH FENTON**

*Councillor R Packham left the meeting at this point.*

**Application:** 2019/0108/FUL

**Location:** The Orchards, Church Street, Church Fenton

**Proposal:** Proposed conversion of redundant agricultural buildings to provide two detached residential units (Use Class C3), with associated amenity, parking and garden space at land adjacent Proposed change of use of public house to retail shop and tea room

The Senior Planning Officer presented the application which was to be determined by the Planning Committee since it did not accord with Policy H12 (1) of the Selby District Local Plan. This required that the conversion of rural buildings to residential use in the open countryside would only be permitted where (amongst other criteria) it could be demonstrated that the building or its location was unsuited to business use, or there was no demand for buildings for those purposes in the immediate locality.

Since the proposal would comply with all other relevant criteria and it was considered that there were material considerations which supported the application, the recommendation was for approval.

The Committee noted that the application was for the proposed conversion of redundant agricultural buildings to provide two detached residential units (Use Class C3), with associated amenity, parking and garden space at land adjacent.

In relation to the officer update note Members noted that since the report had been published written comments have been received from the Contaminated Land Officer, which raised no objections to the proposed development subject to conditions relating to (1) Site Investigation, (2) Submission of a Remediation Scheme, (3) Verification of Remedial Works and (4) Reporting of Unexpected Contamination. This confirmed that the Officer's conclusions regarding contaminated land were correct and that conditions, 6 (Unexpected Contamination), 10 (Site Investigation), 11 (Remediation Scheme and Verification) were justified and would not change the assessment made.

Paul Leeming, agent, spoke in support of the application.

Members discussed the application and agreed with the Officer's recommendation; it was therefore proposed and seconded that the application be GRANTED.

**RESOLVED:**

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

**30.3 2019/0110/COU - FAR FARM, MILL LANE, RYTHER**

**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 back to Committee following

further discussions with the applicant to address concerns raised in terms of residential amenity.

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.

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

In relation to the officer update note Members noted that a number of consultation responses have been received from, the Anisty Internal Drainage Board, Environmental Health and NYCC Highways.

Richard Borrows, agent, spoke in support of the application.

Members noted that in relation to Condition 5 the word 'and' should be inserted before '...shall not be sold off separately to the planning unit.'

Members felt that the site visit had been useful, and that the emerging development was in keeping with the existing buildings. However, there were some concerns expressed by the Committee regarding the amount of work that had already been done, and the effect this could have had on their assessment of the application before them.

It was proposed and seconded that the application be GRANTED.

**RESOLVED:**

**To GRANT the application subject to a Unilateral Undertaking, the conditions set out at paragraph 6 of the report, the officer update note and the amendment to Condition 5 as set out above**

**30.4 2019/0325/FULM - BROWNFIELD SITE 2, LEEDS EAST AIRPORT, BUSK LANE, CHURCH FENTON**

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

*Councillor M Jordan left the meeting during this item and did not return.*

**Application:** 2019/0325/FULM

**Location:** Brownfield Site 2, Leeds East Airport, Busk Lane, Church Fenton

**Proposal:** Proposed erection of 124 dwellings with open space and associated infrastructure following demolition of existing buildings

The Principal Planning Officer presented the application which had been brought before Committee due to the application being recommended for approval contrary to the provisions of the Development Plan. However, officers considered that there were material considerations which would support the recommendation for approval.

The Committee noted that the application was for the proposed erection of 124 dwellings with open space and associated infrastructure following demolition of existing buildings.

Members asked a number of questions in relation to the application, relating to the removal of mature trees, potential pressures on the capacity of local schools, future plans for the sports field, previous extant permissions from 2013, sustainable drainage on site and the maintenance of boundary vegetation.

In relation to the officer update note Members noted that since the report had been written, all pre-commencement conditions had been agreed with the applicant, and the applicant had agreed to the contribution requested by the Highway Authority as referred to in the report, requiring an appropriate Section 106 Agreement, which would make provision for resurfacing works to the footway on the west side of Busk Lane, to be completed before a decision was issued on the application. Members were also made aware that Condition 2 had been amended, additional conditions 32 and 33 had been recommended, and at paragraph 5.16 of the report further clarification had been received from Yorkshire Water regarding the proposed pumping station and its ongoing maintenance.

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

The Committee supported the application and were pleased with the additional conditions around electric vehicle charging points and broadband provision. There was some concern amongst Members around the speed limits on nearby roads as it was felt that this may give

rise to complaints, but Officers advised the Committee that this issue did not form part of the considerations of the application before them.

It was proposed and seconded that the application be GRANTED.

**RESOLVED:**

**To GRANT the application 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.**

**30.5 2018/1037/FUL - 1 BUNGALOW ROAD, BARLBY**

**Application:** 2018/1037/FUL

**Location:** 1 Bungalow Road, Barlby

**Proposal:** Erection of 1 No 3 bed attached dwelling following removal of a 2 storey side extension and a detached garage

The Planning Officer presented the application which had been brought before Committee as the proposals had received more than 10 letters of objection, contrary to Officer's recommendation to approve the application.

The Committee noted that the application was for the erection of 1 No 3 bed attached dwelling following removal of a 2 storey side extension and a detached garage.

Members asked a question regarding the use of delegated powers in relation to the application.

It was proposed and seconded that the application be GRANTED.

**RESOLVED:**

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

**30.6 2019/0792/FUL - LAND TO THE NORTH OF THE LAURELS, THE LAURELS, BARLBY**

**Application:** 2019/0792/FUL

**Location:** Land to the North of The Laurels, The Laurels, Barlby

**Proposal:** Proposed erection of two pairs of semi-detached houses on Plots 19 to 22 (substitution of house

types approved under 2018/0468/REMM)

The Planning Officer presented the application which had been brought before Committee as the proposal was a departure from the Development Plan, but there were material considerations which would justify the approval of the application.

The Committee noted that the application was for the proposed erection of two pairs of semi-detached houses on Plots 19 to 22 (substitution of house types approved under 2018/0468/REMM).

Members asked some questions regarding the application, relating to the number of proposed semi-detached dwellings on the site and the calculation of affordable housing.

In relation to the officer update note Members noted that there was an error in the report which incorrectly referred to the proposal as a 'pair of semi-detached dwellings'. This should have stated: 'Plots 19 – 22 which are the subject of the application are two pairs of semi-detached dwellings.'

It was proposed and seconded that the application be GRANTED.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report and the correction detailed in the officer update note.**

**30.7 2015/1004/OUT - DEED OF VARIATION TO S106 AGREEMENT AT CROFT FARM, BIGGIN**

**Application:** 2015/1004/OUT

**Location:** Deed of Variation to S106 Agreement at Croft Farm, Biggin

**Proposal:** Request for a Deed of Variation to Section 106 agreement seeking the payment of a commuted sum to be used towards the provision, enhancement or maintenance for Open Space within the Parish boundaries of Biggin in lieu of the provision of an off- site Recreational Space in respect of planning approval 2015/1004/OUT for the erection of 5 No. dwellings including details of access (all other matters reserved) at Land at Croft Farm, Oxmoor Lane, Biggin



The Planning Officer presented the application which had been brought before Committee for consideration as it was a proposal to amend the Recreational Open Space provision agreed by Members in 2015.

The Committee noted that the application was a request for a Deed of Variation to Section 106 agreement seeking the payment of a commuted sum to be used towards the provision, enhancement or maintenance for Open Space within the Parish boundaries of Biggin in lieu of the provision of an off- site Recreational Space in respect of planning approval 2015/1004/OUT for the erection of 5 No. dwellings including details of access.

Some Members felt that the commuted sum offered as part of the development was not enough, but acknowledged that the amount would have been arrived at through calculations using a set formula.

It was proposed and seconded that the Deed or Variation application be APPROVED.

**RESOLVED:**

**To APPROVE the Deed or Variation request subject to subject to delegation being given to Officers to complete a Deed of Variation to the original Section 106 agreement, to allow the payment of a commuted sum of £5,475 to be used towards the provision, enhancement or maintenance Open Space within the Parish boundaries of Biggin in lieu of the provision off- site Recreational Space as detailed above on the land in respect of planning approval 2015/1004/OUT.**

**30.8 EGGBOROUGH POWER STATION REDEVELOPMENT**

The Committee received a report and presentation regarding a forthcoming application which sought to re-develop Eggborough Power Station.

Members noted that the re-development would involve the demolition and clearance of a significant part of the North West part of the site, including the cooling towers, cricket, golf and football pitches and the erection of an employment park, containing 6 individually sized buildings.

In attendance and delivering the presentation to Members were Simon Chadwick and Andy Plant from WYG Planning.

The Committee were given an overview of the plans and the future of the site; the application would be a hybrid application with permission sought for the principle of employment use and the scale of the uses applied for, means of access to the site, drainage infrastructure and strategic landscaping. The National Grid power production facility at the centre of the site would remain. It was estimated that the whole redevelopment would be a four to five year programme overall.

Members asked a number of questions on various matters, including the future of the existing golf course, landscaping, the miniature railway, the impact on the M62 corridor and Sherburn 2 and how it would fit into the development of the new Local Plan.

Members acknowledged that the site had come to the end of its natural useful life and that redevelopment and reuse was essential.

The meeting closed at 5.10 pm.