

## Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 5 October 2022
Time:	2.00 pm
Present:	Councillor M Topping in the Chair  Councillors C Richardson (Vice-Chair), I Chilvers, K Ellis, G Ashton, R Packham, S Duckett, P Welch and D Mackay
Officers Present:	Martin Grainger – Head of Planning, Yvonne Naylor – Principal Planning Officer, Glenn Sharpe – Solicitor, Emma Howson – Senior Planning Officer, Martin Evans – Principal Planning Officer, Jenny Tyreman – Assistant Principal Planning Officer and Gina Mulderrig – Democratic Services Officer

### **24 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Duggan.

Councillor Duckett was in attendance as a substitute for Councillor Duggan.

### **25 DISCLOSURES OF INTEREST**

Councillors M Topping, C Richardson, K Ellis, P Welch, R Packham, I Chilvers, D Mackay, S Duckett and G Ashton all declared a non-pecuniary interest in agenda item 5.1 – 2022/0852/OUT – Royal Oak Inn, Main Road, Hirst Courtney, as they had all received representations relating to this application but were not required to leave the meeting during consideration thereof.

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

The Chair announced that an Officer Update Note had been circulated and was available to view alongside the agenda on the Council's website.

The Committee noted that any late representations on the applications would be summarised by the Officer in their presentation.

## **27 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 7 September 2022.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 7 September 2022 for signing by the Chairman.**

## **28 PLANNING APPLICATIONS RECEIVED**

The Planning Committee considered the following planning applications.

## **29 2022/0852/OUT - ROYAL OAK INN, MAIN ROAD, HIRST COURTNEY**

**Application:** 2022/0852/OUT

**Location:** Royal Oak Inn, Main Road, Hirst Courtney

**Proposal:** Outline application with all matters reserved for erection of up to 7 dwellings.

The Senior Planning Officer presented the application which had been brought before the Planning Committee at the request of the Ward Councillor, on the following grounds: That the site of the former public house had been disused for a lot of years and was an eyesore for the village, which needed addressing; and, that there was a public house close by and the application would much improve the character and appearance of the village.

Members noted that it was an outline application with all matters reserved for erection of up to 7 dwellings.

The Committee considered the Officer Update Note which included additional relevant historical information, including the previous use of the outbuilding in the car park of the Royal Oak Inn and past planning applications relating to it. The comments from the Planning Inspector were detailed in the Officer Update Note.

The Committee asked questions of the Senior Planning Officer about how the application differed to the previous application for the site, and whether the site could be developed in a way that would overcome the current reasons given for refusal.

The Senior Planning Officer answered that 2022/0852/OUT was for 7 dwellings rather than 9, and the site was approximately 20% smaller and no

longer extended past the car park. The Senior Planning Officer stated that the issue regarding the loss of the community facility would need to be dealt with first, but that the plans were indicative. This meant that if the application was altered to stay within the Development Limits using the frontage of the site, then reasons for refusal could be overcome in principle subject to other details. The Senior Planning Officer also confirmed that the Development Limits were detailed in the report and were restricted to the frontage of the site and did not include all previously developed land including the building in the car park. Conversion of the building in the car park had been approved in 2015 but would need to be re-examined to determine whether its development was still within policy.

Members noted that one of the reasons for refusal was the insufficient marketing of the Royal Oak Inn prior to submitting the application and asked if there had been any new evidence submitted.

The Planning Project Officer confirmed that there had been some evidence of marketing submitted but a higher level of detail was expected to justify the application, such as records of the type of marketing used, the level of interest received and justification of the asking price.

The Chairman of Hirst Courtney Parish, Councillor Russell Wagstaff, was in attendance at the meeting and spoke in favour of the application.

Planning Agent Sam Dewar was in attendance and spoke in favour of the application.

Members debated the application further noting the reduction in size of the site from the previous application in line with Members' previous comments meant the site now sat fully on previously developed land. The Committee acknowledged the support from the community for the application and their concerns about the existing building but also stated that the reasons for refusal stand. Members noted the Senior Planning Officer's statement that insufficient evidence of marketing had been received, that the application was contrary to policies detailed in Section 6 of the report, the loss of community facility and that the application was outside of the distinct linear Development Limits as described by the Planning Inspector.

The Senior Planning Officer confirmed that the application did now sit within the limits of previously developed land, but that the National Planning Policy Framework stated that it should not be assumed that the whole curtilage of previously developed land be developed.

Members suggested that seeing the site in the context of its surroundings would inform Members as to the effect of development outside the Development Limits in more detail than the report allowed, and that a site visit was necessary.

It was proposed and seconded that the application be DEFERRED for a site visit; a vote was taken and was carried.

**RESOLVED:**

**That the application be DEFERRED in order for a site visit to be arranged.**

**30 2021/0481/FUL - SUGAR HILL FARM, WINGATE HILL, STUTTON**

**Application:** 2021/0481/FUL

**Location:** Sugar Hill Farm, Wingate Hill, Stutton

**Proposal:** Conversion of a barn into a 2-bedroom dwelling.

The Principal Planning Officer presented the application which had been brought before the Planning Committee as the proposal was recommended to be approved contrary to the requirements of the Development Plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan 2005), but it was considered that there were material considerations which would justify approval of the application.

Members noted that the application was for the conversion of a barn into a 2-bedroom dwelling.

The Committee questioned the Principal Planning Officer on the distance of the application to the nearest dwelling and asked for clarification on policy regarding the development of lone agricultural buildings.

The Principal Planning Officer referred Members to the map in the report which showed the situation of the site in relation to the nearest dwellings and confirmed that the Local Plan and Green Belt both supported the development of rural buildings, even when the buildings were isolated and freestanding, as long as the application was contained within the existing built form without significant extension and did not impact on openness.

Members sought clarification on the materials proposed for the development noting that the materials approved for the block's construction in 2007 were not put in place.

The Principal Planning Officer stated that the proposed completion of the timber cladding and the slate roof were an acceptable mix of materials for this building, and were to be retained during the conversion. The Planning Project Officer confirmed that the current use of the building was as a stable block that had been deemed structurally capable of conversion without significant alteration.

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

It was proposed and seconded that the application be APPROVED. A vote was taken on the proposal and was carried.

**RESOLVED:**

**That the application be APPROVED subject to the conditions set out in paragraph 7 of the report.**

**31 2019/0045/EIA - LAND BETWEEN NEW ROAD AND WHELDRAKE LANE**

**Application:** 2019/0045/EIA

**Location:** Land Between New Road and Wheldrake Lane, Wheldrake Lane, Escrick

**Proposal:** Outline application for redevelopment of the former North Selby Mine site to a leisure development comprising of a range of touring caravan and static caravans with associated facilities.

The Principal Planning Officer presented the application which had been brought before the Planning Committee as it was an EIA development.

Members noted that the application was an outline application for redevelopment of the former North Selby Mine site to a leisure development comprising of a range of touring caravan and static caravans with associated facilities.

Members considered the Officer Update Note which noted the following changes to the report:

- an extension of time on the determination of the application had been agreed with the applicant to 7/10/2022;
- the landscape architect reaffirmed their previous comments raising no objection subject to conditions; and
- the conditions needed policies adding to the reasons. Therefore, the recommendation was amended to approve the application subject to conditions detailed in the Officer Update Note.

The Committee asked for clarification from the Principal Planning Officer regarding 2019/0045/EIA being a cross boundary application to Selby District Council and York City Council, and the division of development and landscaping within the application.

The Planning Project Officer confirmed that York City Council had approved the application and that whilst most development was sited in York City and landscaping sited in Selby District, the application was to be considered in full, as detailed in the report. The Principal Planning Officer confirmed the application contained minor development in Selby District including footpaths surrounding but not impacting on the designated Site of Importance for Nature Conservation detailed on the map in the report.

Members questioned road safety and whether consideration had been given to the speed and volume of traffic using the A19 in the locality and the possible need for traffic lights at the junction.

The Planning Project Officer confirmed that North Yorkshire County Council Highways and Highways England had considered the Transport Assessment including junction modelling of the access point at the A19 and had both concluded there was no requirement for traffic lights. The Transport Assessment did recommend broader highway improvements, notably to the footway from the junction to the petrol station.

The Committee commented on the large size of the site and its current overgrown state and future potential investment that might be required for management.

It was proposed and seconded that the application be APPROVED. A vote was taken on the proposal and was carried.

**RESOLVED:**

**That the application be APPROVED subject to the conditions set out in paragraph 7 of the report and the details set out in the Officer Update Note.**

**32 HELIOS RENEWABLE ENERGY PROJECT NSIP BRIEFING REPORT**

The Assistant Principal Planning Officer presented the report which had been brought before Planning Committee for information. The report to be considered by the Executive at their meeting in November 2022 would seek agreement from the Executive that the Head of Planning and Interim Head of Regulatory Services, in consultation with the Leader of the Council, be authorised 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 asked for clarification on the next steps regarding the project's consultation and implementation.

The Assistant Principal Planning Officer outlined the upcoming actions which included a period of Statutory Consultation scheduled for the second quarter of 2023, followed by the submission of the application to the Planning Inspectorate later that year. The Assistant Principal Planning Officer explained the submission of the application would then be subject to examination by the Planning Inspectorate with relevant hearings and consultees and interested parties given the opportunity to make representations.

Members noted that Burn Airfield, adjacent to the Development Area, was active and used by Burn Gliding Club.

It was proposed and seconded that the report be noted.

**RESOLVED:**

**The Planning Committee noted the content of the report.**

The meeting closed at 3.14 pm.