

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Planning Committee held on 26 April 2006, in the Rooms 1 & 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

795	Minutes
796	Chair's Address to the Planning Committee
797	Applications Received
798	Urgent Appeal Decisions
799	Tree Preservation Orders

Present: Councillor W Norton in the Chair.

Councillors: D Bain-Mackay, I Chilvers, G Croston, Mrs D Davies, Mrs S Duckett (for S Shaw-Wright), J Mackman, B Marshall, N Martin, I Nutt (for J Cattnach), C Lunn, M Patrick, C Pearson, D Peart, D McSherry, R H Sweeting and R Wilson.

Officials: Chief Executive, Head of Service for Legal and Democratic Services, Principal Planning Officer, Senior Planning Officers, Principal Environmental Health Officer, Committee Administrator, Democratic Services Assistant.

Public: 32
Press: 0

793 APOLOGIES FOR ABSENCE AND SUBSTITUTION

Apologies were received from Councillors J Cattnach, Mrs F Ryan and S Shaw-Wright.

Substitute Members were Councillors Mrs S Duckett (for S Shaw-Wright) and I Nutt (for J Cattnach).

794 DISCLOSURE OF INTEREST

Councillor J Mackman declared a personal but non-prejudicial interest in item No C8/32/83/PA Gateforth Farm, Mill Lane, Brayton he had attended an open public meeting but had taken no part in the debate.

Councillor C Lunn declared a prejudicial interest in item No C8/32/83/PA Gateforth Farm, Mill Lane, Brayton as resident that would be objecting to

item and would leave the chamber for the item.

Councillor W Norton declared a personal interest in item No C8/32/83/PA Gateforth Farm, Mill Lane, Brayton and would leave the chamber for the item.

Councillor C Pearson declared a personal interest in item No C8/32/83/PA Gateforth Farm, Mill Lane, Brayton but would not leave the chamber and would take part in the debate.

795

MINUTES

RESOLVED:

That the minutes of the proceedings of the meeting of the Planning Committee held on 29 March 2006 be confirmed as a correct record and be signed by the Chair.

796

CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair made no address to the Committee.

797

PLANNING APPLICATIONS RECEIVED

Consideration was given to the schedule of planning applications submitted by the Head of Service for Planning and Economic Development.

RESOLVED:

That the applications set out in the agenda be dealt with as follows:

- 1 - 8/33/6D/PA
Land at Station Road, Hambleton

Application for residential development comprising 80 (2 storey and 2 ½ storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road.

The Senior Planning officer updated Members with regard to the Affordable Housing provision on the site and confirmed that following discussions with the developer the percentage had increased to 20%, and although this was still lower than required by the Council's current policy it was proposed as acceptable given the circumstances which applied to this particular application as outlined in the report.

The Officer confirmed that the footpath needed extending and that the applicants had agreed to an amended scheme which showed it provided within highway land was prepared to discuss the matter with a 3rd party landowner with the aim of increasing the width of the proposed footpath.

Public Speaker – Mrs Whitham – Objector

Mrs Whitham addressed the Committee on the following issues;

- Type of play equipment to be supplied
- Fencing, flooring covering and seating
- Age limits of children using the play area
- Type and size of properties being proposed

Public Speaker – Mr Healy – Parish Council

Mr Healy confirmed that the Parish Council did not raise any objections to the development and welcomed the re-development, which would improve the village. They were happy with the level of affordable housing being proposed

The Parish Council did raise concern with regard to the width of the proposed footpath but understood further negotiations were underway.

Public Speaker – Mr Rollinson – Agent

Mr Rollinson outlined the application and the reasons behind the Affordable Homes percentage, and issues relating to the relocation of the business.

Mr Rollinson confirmed the matter of upgrading the footpath and explained that the highway would be narrowed but would still be up to NYCC Highway, adoptable standard

RESOLVED:

That permission be granted subject to a Section 106 Agreement.

2 - C8/32/83/PA
Gateforth Farm, Mill Lane, Brayton

Application for municipal waste composting trails over a period of a one year.

Having declared an interest in this item Councillors C Lunn and W Norton left the chamber and took no part in the debate.

Councillor J Mackman took the Chair for this item.

The Principal Planning Officer outlined the report for Members. This was a NYCC application with Selby District Council, a statutory consultee.

The Environmental Health Section had already written to NYCC stating that they couldn't support to the proposal.

The Environment Agency had formally objected to the scheme.

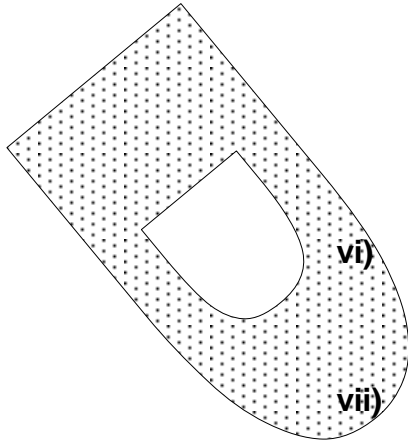
There was a great deal of debate about the application and a large number of Members spoke against the scheme. The Committee was unanimous in the following resolution:

RESOLVED: That

Selby District Council Planning Committee objects in the strongest possible terms to the proposal for the following reasons:

- i) The applicant fails to demonstrate that the composting can and will be carried out in a manner that does not endanger public health.**
- ii) The applicant fails to demonstrate that the processes and controls will be capable of preventing harm to the environment.**
- iii) It has not been satisfactorily demonstrated by the applicant that the age and condition of buildings, plant and hard surfaces where material will be stored will not result in contamination through leaching to the two nearby boreholes and the local sandstone aquifer.**
- iv) A risk assessment has not been supplied which identifies potential risks such as loss of power and how the applicant intends to mitigate against these risks.**
- v) There is considerable concern that the plant proposed to be used was not designed to process municipal waste. That this results in a high risk of odour and/or bio-**

aerosols being emitted into the atmosphere within close proximity to Thorpe Willoughby's 3500 residents, the Members and employees of Selby Golf Club which adjoins the application site as well as Brayton Barff a locally important landscape area designed within Selby District Council Local Plan and protected under policy ENV 15. In addition there were concerns in respect of the potential health risks to those people employed by the adjacent mushroom farm and farmers working on surrounding agricultural land.



vi) There was concern that noise levels had not been submitted, which meant that no controls could be put in place through conditions.

vii) Due weight should be given to relevant policies set out in the Selby District Local Plan (adopted February 2005) and the North Yorkshire Structure Plan (Alteration No.3), in particular Policy W2 and the Yorkshire & Humber Regional Spatial Strategy (RSS) Policy ENV14. No evidence has been submitted by the applicants to demonstrate compliance with Local, Regional and National Policy and Guidance.

viii) Concerns were expressed in respect of the distance that the material was being brought for treatment i.e. Harewood Whin in York to the southern side of Selby. This is contrary to basic sustainability principles, but also Policy ENV 14 of the RSS, which advocated the management of waste on the site where it arose or in connection with the proximity principle. No evidence was provided to demonstrate compliance with the 'proximity principle'

3 - 8/73/14CS/PA
John Smith's Brewery, High Street, Tadcaster

Proposed erection of a water treatment plant.

Members were informed that there were no updates to this report.

RESOLVED:

That Officers be given delegated authority to grant permission subject to no material planning objections being received following the expiry consultation period and subject to any additional conditions being requested by statutory consultees.

4

- 8/38/31D/PA
Montgomery House, 27 Finkle Street, Hensall

The Principal Planning Officer left the chamber for this item.

The Chair addressed the Committee before this item was presented, this would be the last meeting for the Team Leader North who was leaving the Authority, the Chair and Members thanked her for her hard work.

The Senior Planning Officer reminded Members that this application was only before them as it related to a member of staff.

Proposed erection of a 2-storey side extension, a single-storey porch to the front and new vehicular access.

RESOLVED:

That permission be granted subject to the conditions set out in the Officers report.

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- 8/79/187B/PA
Ardgay, Colton Lane, Appleton Roebuck.

Re-submission for Reserved Matters for the erection of five detached dwellings and associated works.

The Planning Officer updated Members on the report. A number of queries had been raised but these had now been addressed. If Members were minded to approve the application the recommendation would need to be amended to include the wording 'subject to a Recreation Open Space Section 106 agreement.'

Public Speaker – Mr Hutton – Objector

Mr Hutton outlined the follow reasons for his objections to the re-development of the site;

- Number of dwellings
- Height of the proposed dwellings
- Increase of traffic

- Loss of amenity

Mr Hutton thanked Members for their time.

Public Speaker – Mr Phillips – Parish Council

Mr Phillips outlined the Parish Council main objections;

- The development would alter the character and form of the village
- Inappropriate design and too many dwellings for size of plot
- Dangerous access

Mr Phillips asked Members to visit the site before they came to a decision.

Members agreed with a number of the issues raised and an amendment to the recommendation was moved for a site visit and on being put to the vote was carried.

RESOLVED:

That the item be deferred pending a site visit and be brought back to the next meeting of the Planning Committee.

6. Tree Preservation Order – 14/2005
34 Leeds Road
Selby

A Tree Preservation Order 15/2005 relating to three trees (a group of Crataegus, Laburnum and Malus) situated on the western boundary of Norfolk House, Selby was served on all of the parties on the 9 December 2005.

Public Speaker – Mr Hunter – Resident

Mr Hunter addressed the Committee with regard to the Preservation Order and raised issues against the order.

Members felt that more detail was required and asked that a site visit take place for clarification.

RESOLVED:

That the item be deferred pending a site visit and be brought back to the next meeting of the Planning Committee.

798

URGENT APPEAL DECISIONS

None received.

799

TREE PRESERVATION ORDERS – CONFIRMATION

Members considered the report from the Head of Planning and Economic Services.

RESOLVED:

That the under-mentioned Tree Preservation Order be confirmed as an unopposed order:

**Tree Preservation Order No
13/2005**

43A Main Street, Riccall.

The meeting closed at 7.00 pm.

