

North Yorkshire Council

Selby and Ainsty Area Constituency Planning Committee

Minutes of the meeting held on Wednesday, 13th September, 2023 commencing at 2.00 pm.

Councillor John Cattanach in the Chair plus Councillors Stephanie Duckett (substitute for Councillor Packham), Mike Jordan, Karl Arthur (substitute for Councillor Lunn), Arnold Warneken and Andy Paraskos (substitute for Councillor Crane).

Officers present: Martin Grainger (Head of Development Management), Frances Maxwell, Solicitor, Hannah Blackburn, Planning Development Manager, Gareth Stent, Principal Planning Officer and Gina Mulderrig, Democratic Services Officer

Apologies: Mark Crane, Cliff Lunn, Bob Packham and Steve Shaw-Wright.

Copies of all documents considered are in the Minute Book

1 Apologies for Absence

Apologies noted (see above).

2 Minutes for the Meeting held on 12 July 2023

The minutes of the meeting held on Wednesday 12 July 2023 were confirmed and signed as an accurate record.

3 Declarations of Interests

Councillor Mike Jordan declared a non-pecuniary interest in item 4 as he was acquainted with the owner and used the venue to meet Sherburn-in-Elmet Town Councillors.

Councillor Arnold Warneken declared a non-registerable interest in item 4 as Fields Garden Centre stocked products supplied by his business. He confirmed he would leave the Committee during the debate stage and would not participate in the vote.

4 ZG2020/0536/FUL - Fields Garden Centre, Tadcaster Road, Sherburn

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for the erection of a cladded building for growing plants, being an extension to the existing greenhouse at Fields Garden Centre, Sherburn In Elmet. The proposal also involved the removal of an existing poly tunnel.

During consideration of the above application, the Committee discussed the following issues :-

- Whether the site had been subject to any enforcement notices regarding planning permission. The Officer confirmed the site had not been the subject of any enforcement notices and all issues of unauthorised use had been resolved in subsequent applications.
- Further clarification was provided that the proposed development was not accessible to the public or permitted for retail use as detailed in (amended) condition 4.

The Decision :-

The Committee was **minded to grant** planning permission subject to conditions listed in Section 12 of the report and the amendments to conditions 2, 4 and 5 as set out below and provided no new material planning issues are to be considered following the readvertisement of the corrected plan. In the event that no new material planning considerations are to be considered, authority was delegated to the Planning Development Manager to grant this application subject to the imposition of the attached schedule of conditions.

Voting Record

A vote was taken and the motion was declared carried unanimously (5 for, 0 against as Councillor Warneken left the meeting before the debate and the vote).

Amended Conditions

Amendment to condition 2

The applicant supplied a new red line block plan (D-102 E) of the proposed development with an amended red line, after the publication of the agenda. Condition 2 is therefore updated to reflect the approved list of plans. Condition 2 should now read.

1. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

Existing Block Plan and Location	D-101 G
Existing floor plan	D-201C
Existing Elevations	D-401 C
Proposed Block Plan	D-102 E
Proposed Floor Plan	D-202 G
Proposed Elevations	D-402 G

Reason: For the Avoidance of Doubt.

Amendment to condition 4 removing the word 'display'

4. The building hereby approved shall only be used for the propagation and storage of plants, shrubs, trees, seeds and flowers only. No additional goods, equipment or services shall be sold, exhibited or promoted within the extended part of the building to which this permission relates.

Reason: To ensure the building is used for its intended purpose and in accordance with Paragraph 149 of the NPPF in terms of it being assessed as an agricultural building.

Removal of condition 5

Reason: Contents not relevant to application

5 Any other items

There were no urgent items of business.

6 Date of Next Meeting

Wednesday, 11 October 2023 – Civic Centre, Selby

The meeting concluded at 2.32 pm.