

# North Yorkshire Council

## Selby and Ainsty Area Planning Committee

Minutes of the meeting held on Wednesday, 14th August, 2024 commencing at 2.00 pm.

Councillor John Cattanach in the Chair plus Councillors Karl Arthur, Mike Jordan, Cliff Lunn, Bob Packham, Steve Shaw-Wright and Arnold Warneken.

Officers present: Martin Grainger - Head of Development Management, Frances Maxwell – Solicitor – Planning & Environment, Fiona Ellwood – Principal Planning Officer, Hannah Blackburn - Planning Development Manager, Martin Evans – Principal Planning Officer, Nick Turpin – Development Service Manager (observing); and Dawn Drury – Democratic Services Officer

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**Copies of all documents considered are in the Minute Book**

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### **16 Apologies for Absence**

There were no apologies for absence.

### **17 Minutes for the Meeting held on 12 June 2024**

The minutes of the meeting held on Wednesday 12 June 2024 were confirmed and signed as an accurate record.

### **18 Declarations of Interests**

Councillor Mike Jordan declared a non-pecuniary interest in item number 5 of the agenda, as he knew the owners and had met with them on numerous occasions, he confirmed that he would leave the meeting during consideration of the item

Councillor Steve Shaw-Wright declared a non-pecuniary interest in item number 5 of the agenda, as he employed a staff member who lived in part of Broadacres in Carlton. He confirmed that this would not affect his decision and that he would speak and vote on the item.

Councillor Bob Packham declared a non-pecuniary interest in item number 4 of the agenda as he had been lobbied on the Church Fenton application in April 2024, and he had discussed the issues with Council officers at that time. He confirmed that he had an open mind and would speak and vote on the item.

The Chair confirmed that an officer update note had been circulated and added to the North Yorkshire Council website.

The Chair also advised that he had amended the order of business on the agenda, therefore agenda item number 5, application ZG2023/0732/OUTM, Land east of Broadacres, Mill Lane, Carlton would be taken as the first item.

## **Planning Applications**

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the conditions as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

In considering the reports of the Assistant Director Planning – Community Development Services, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration of a planning application the reasons for that decision were as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal was in accordance with the development plan, the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below.

### **19 ZG2023/0732/OUTM - Land east of Broadacres, Mill Lane, Carlton, Selby**

As per his earlier declaration Councillor Jordan left the meeting at this point, prior to consideration of the Broadacres, Mill Lane, Carlton application.

Considered:-

The Assistant Director Planning – Community Development Services sought to resolve the position the Council would take at an upcoming appeal against non- determination of an application for outline planning for development for up to 200 residential dwellings with access to, but not within, the site (all other matters reserved) at land east of Broadacres, Mill Lane, Carlton, North Yorkshire.

The Planning Development Manager explained to Members that the application before them was an outline application that was the subject of an appeal against non-determination, although a start date had not yet been confirmed. The application related to a development of up to 200 residential dwellings on a draft allocated site in the Selby emerging Local Plan; a resolution was sought to guide the appeal process.

Members attention was drawn to the fact that the officer recommendation set out at 12.1 of the report, was that had the Local Planning Authority considered the application in its current state, permission would be refused for the reasons listed within the report.

Members heard that discussions were being held internally between officers in Planning and their colleagues in the Planning Policy team, since the report had been finalised. It was therefore, respectfully requested that Members agree to a deferral of the application to allow these conversations to continue, as the discussions may impact the resolution set out within the report.

The decision:-

That the planning application be DEFERRED for the following reason:

- To allow the conversations taking place between Planning and Planning Policy officers to continue.

Voting record:-

A vote was taken, and the motion to defer the application was carried unanimously.

Councillor Jordan returned to the meeting.

## **20 ZG2024/0187/S73 - Land south of Main Street Church Fenton**

Considered:-

The Assistant Director Planning – Community Development Services sought determination of a Section 73 application for variation of the conditions on the approved reserved matters application to reflect changes to the approved plans for the erection of 50 dwellings on land south of Main Street, Church Fenton.

The Principal Planning Officer advised Members that the Council had received an email earlier in the week from a resident of Church Fenton which had suggested that revised plans had been received by the Council, within 48 hours of the Committee meeting, and requesting that the application be deferred to allow time for the residents to respond. Members were assured that this was not the case, and it was confirmed that the suite of plans being considered at Committee were those that had been uploaded to public access on the 26 July 2024, to which a full consultation had taken place.

Members attention was drawn to the officer update note which had been published onto the North Yorkshire Council website, and it was highlighted that the Section 73 application before Committee only sought to vary details relating to the house type designs and some part of the road standards.

Sarah Chester spoke objecting to the application.

Councillor Andrew Lee spoke, as Division Member for Appleton Roebuck and Church Fenton, against the application.

The agent, Mark Johnson, spoke in support of the application.

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

- In terms of the plans submitted on the 26 July, it was queried if the revised scheme had come about following discussion and negotiations with the developer and taking into account any objections received from local residents.
- It was queried if the appeal scheme was the same scheme that had been considered and refused by Planning Committee, and if the reserved matter appeals scheme had revised plans submitted between the Planning Committee determination and the Inspectors consideration of the information.
- Members queried if the reclassification of the Flood Zoning at the site had made an impact on the finished floor levels.
- Members asked for clarification on the affordable housing available on the site in terms of the size of each property and how many of each type there were.
- The reason why agricultural land was included within the red line.
- In relation to the additional condition regarding features such as bay windows and chimneys, to give a variation on each property, it was questioned who would monitor

- the development to ensure that the works were carried out accordingly.
- It was queried what constituted a chimney.
  - Could consideration be given to the installation of solar panels on each property when additional conditions are added.
  - Members requested clarification on which vehicles could use the “turning head”.

The decision:-

That planning permission be GRANTED subject to the conditions listed at section 12 of the report, the additional conditions within the officer update note, and prior completion of a Deed of Variation to reflect the changed plans.

Voting record:-

A vote was taken, and the motion was carried unanimously.

## **21 Any other items**

There were no urgent items of business.

## **22 Date of Next Meeting**

Wednesday 11 September 2024 – Civic Centre, Selby.

The meeting concluded at 2.56 pm.