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North Yorkshire Council

Selby and Ainsty Area Constituency Planning Committee

Minutes of the meeting held on Wednesday, 13th March, 2024 commencing at 2.00 pm.

Councillor John Cattanach in the Chair, plus Councillors Mark Crane, Mike Jordan, Cliff Lunn, Bob Packham and Arnold Warneken.

Officers present: Kate Lavelle – Assistant Lawyer Property and Planning, John Worthington – Executive Officer (Development Management), Lisa Adler – Career Graded Planning Officer, Hannah Blackburn - Planning Development Manager, Yvonne Naylor – Principal Planning Officer, Linda Drake – Planning Project Officer; and Dawn Drury – Democratic Services Officer

Copies of all documents considered are in the Minute Book

28 Apologies for Absence

There were no apologies for absence.

29 Minutes for the Meeting held on 10 January 2024

The minutes of the meeting held on Wednesday 10 January 2024 were confirmed and signed as an accurate record.

30 Declarations of Interests

Councillor Arnold Warneken declared a pecuniary interest in item 7 of the agenda, as he was the landowner. He confirmed that he would leave the meeting during consideration of the item, however he would be speaking, as a public speaker, in support of the application.

Councillor Mike Jordan declared a pecuniary interest in item numbers 4 and 5 of the agenda and confirmed that he would leave the meeting during consideration of both items.

Councillor Bob Packham declared a non-pecuniary interest in item numbers 4 and 5 of the agenda as in his position as the Division Member he had received numerous pieces of correspondence on the applications. He confirmed that as he had not expressed an opinion on the outcome of either applications, and was keeping an open mind, that he would speak and vote on both items.

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

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 report(s) 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 are 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 is 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.

31 2022/1236/FULM - Garden Lane, Sherburn in Elmet

Considered:-

The Assistant Director Planning – Community Development Services sought determination of a full planning application for the development of 66 dwellings with associated landscaping and highways and demolition and off-site highways works at land at Garden Lane, Sherburn in Elmet. The proposal was that all the dwellings would be provided as affordable units either as affordable rent, shared ownership or rent to buy for those with local connections.

The Planning Development Manager advised Members that since the publication of the agenda pack on 5 March 2024, the applicant had confirmed that they would accept the s106 costs requested by Officers for education and healthcare, as detailed in the Officer Update Note. The non-payment of these contributions was the sole recommended reason for refusal of the application by Officers, therefore, in the interests of transparency and robust decision-making Officers respectfully requested that Members agree to a deferral of the application. This would allow Officers to consider the changed position, and for further discussions to take place with North Yorkshire Highways to seek clarity, following the Committee's site visit which took place on Monday 11 March 2024. Members were assured that Officers would report back their findings to the Committee at a later date.

The Division Councillor for Sherburn in Elmet supported the Officers request for deferral and stated that the residents of Sherburn in Elmet must have sight of any new Committee report in the interests of transparency, and because the original officer recommendation had been for refusal of the application.

The decision:-

That the planning application be DEFERRED for the following reason:

- To allow officers to consider the changed position in terms of the newly agreed s106 contributions from the applicant, and to seek clarity from North Yorkshire Highways following a visit to the site by Members.

Voting record:-

A vote was taken, and the motion was carried with 5 votes for, and 1 abstention. The motion to defer the application was therefore carried.

32 ZG2023/1153/FUL - Land south of 44 Garden Lane, Sherburn in Elmet

Considered:-

The Assistant Director Planning – Community Development Services sought determination of a full planning application for the development of 3 dwellings with new accesses onto Garden Lane on land to the south of 44 Garden Lane, Sherburn in Elmet.

The Planning Development Manager informed Members that within the published agenda pack at paragraph 10.10, reference had been made to other dwellings on safeguarded land, namely 56 and 58 Garden Lane, which had been granted planning consent when the Council did not have a five year housing land supply. Following further investigation by Officers it was concluded that the Council did have a five year housing land supply at that time, as shown in the Officer Update Note. Therefore, Officers respectfully requested that Members agree to a deferral of the application to allow Officers to consider the change of position, with the Officers findings reported back to the Committee at a later date.

The Division Councillor for Sherburn in Elmet supported the Officers request for deferral as this application was closely related to the previous application, as both were on safeguarded land with the same highway access.

The decision:-

That the planning application be DEFERRED for the following reason:

- To allow officers to consider the changed position in terms of development on safeguarded land.

Voting record:-

A vote was taken, and the motion was carried with 5 votes for, and 1 abstention. The motion to defer the application was therefore carried.

33 ZG2023/0433/FUL - Plantation House, Cawood Road, Wistow

Considered:-

The Assistant Director Planning – Community Development Services sought determination of an application for the demolition of existing buildings and the erection of 9 dwellings at Plantation House, Cawood Road, Wistow on behalf of Newett Roberts Limited

The Planning Project Officer highlighted that the application had been before Members in January 2024, when the item had been deferred to allow new plans and a revised layout to be submitted that would resolve the issue of overshadowing of the existing property to the north of Plot 2 known as 'The Cottage'.

The Officer drew Members attention to the amended conditions within the officer update note and highlighted that the neighbour to the north of the site at The Cottage had confirmed in writing that they were happy with the revised layout and position of Plot 2 and had withdrawn their objection to the proposal.

The agent for the applicant, Jo Buxton, spoke in support of the application.

During consideration of the above application, it was noted that Members felt that the scheme was very good and commended the applicant and planning officers on working together to resolve the issues.

The decision:-

That planning permission be delegated to the Head of Planning Development Management to GRANT subject to a Section 106 or a Unilateral Undertaking to secure a contribution to secure offsite Bio-Diversity Net gain to offset the onsite loss, off-site recreation provision and to secure waste and recycling conditions. And subject to the conditions listed in Section 12 of the Committee report, and the officer update note.

Voting record:-

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

As per his earlier declaration, Councillor Warneken left the meeting at this point.

34 ZC24/00001/FUL - Land comprising OS Field 2062, War Field Lane, Cowthorpe

Considered:-

The Assistant Director Planning – Community Development Services sought determination of a planning application for the construction of six ponds to create habitats for Great Crested Newts under Natural England's District Level Licensing programme at land to the rear of 2 Goosemoor Cottages and Goosemoor Nature Reserve near Cowthorpe.

Following the Planning Officers presentation and Member questions, Councillor Warneken came back into the meeting.

The landowner, Arnold Warneken, spoke in support of the application.

Councillor Warneken left the meeting again for Member's to debate the application.

The decision:-

That planning permission be GRANTED subject to the conditions listed at section 12 of the report.

Voting record:-

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

Councillor Warneken returned to the meeting at this stage to hear the outcome of the application.

35 Any other items

There were no urgent items of business.

36 Date of Next Meeting

Thursday 18 April 2024 – Civic Centre, Selby.

The meeting concluded at 2.27 pm.

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