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## North Yorkshire Council

### Selby and Ainsty Area Constituency Planning Committee

Minutes of the meeting held on Wednesday, 1st May, 2024 commencing at 2.00 pm.

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

Officers present: Kate Lavelle – Solicitor, Planning and Environment, Laura Zielinski – Lawyer, Business and Environment (observing), Hannah Blackburn - Planning Development Manager, Jac Cruickshank – Senior Planning Officer, Elizabeth Maw – Senior Planning Officer; and Dawn Drury – Democratic Services Officer

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

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#### **1 Apologies for Absence**

There were no apologies for absence.

#### **2 Minutes for the Meeting held on 13 March 2024**

The minutes of the meeting held on Wednesday 13 March 2024 were confirmed and signed as an accurate record.

#### **3 Declarations of Interests**

Councillor Bob Packham declared a non-pecuniary interest in item 5 of the agenda, as he had been involved with the scheme through the Sherburn in Elmet Village Centre Working Group. He confirmed that he would leave the meeting during consideration of the item.

Councillor Mike Jordan declared a non-pecuniary interest in item 5 of the agenda, as he had been involved with the scheme through the Sherburn in Elmet Village Centre Working Group. He confirmed that he would leave the meeting during consideration of the 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 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 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.

#### **4 2023/0220/COU - Kings Arms, Marsh Lane, Beal, DN14 0SL**

The Assistant Director Planning – Community Development Services sought determination of an application for the retrospective change of use of a public house (sui generis use) to a bed and breakfast and mixed-use events venue (sui generis use) at The Kings Arms, Marsh Lane, Beal, DN14 0SL.

The Senior Planning Officer highlighted that the application had been before Members in January 2024, when the item had been deferred due to Members concerns in relation to potential noise disturbance and the use of the building.

Members heard that additional information on the residential writer's retreat events had been provided by the applicant, and the Council's Environmental Health team had confirmed that no complaints had been received for the premises. The Licensing Team had given advice in relation to the details of the applicants current Premises Licence and the specified opening hours contained therein and confirmed that the site would be controlled through the existing licence.

The Officer explained that the majority of written objections which had been received by the planning authority in response to the planning application, related specifically to the public right of way (PROW) and the unauthorised closure of the footpath which runs through the site, however this was not a material consideration for this planning application.

Bernard McGuinn spoke on behalf of the Beal Resident's Group objecting to the application.

The Democratic Services Officer read out a submission on behalf of the applicant in support of the application.

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

- Members queried if the separate application for the extinguishment of the PROW under section 257 of the Town and Country Planning Act had been submitted. The Officer confirmed that the formal order to make a diversion to the footpath, rather than extinguish the footpath across the car park, had been made and published, with a period of consultation to be undertaken by the PROW team.
- It was queried if an application for the fence had been submitted, and if so,

would the application come to Committee for consideration. It was confirmed that a valid application had not been received to date and that the application would not, by the nature of it, come to committee unless a request for referral was received from the Division Councillor.

- As the change of use of the premises had already taken place, and events had been held at the premises, Members asked for confirmation that the Environmental Health team had not received any form of complaint from local residents.
- Members expressed frustration regarding the application but appreciated that they, as a Planning Committee, could only deal with the planning application in front of them and therefore, had no material reason to refuse. There was an expectation from Members that Officers would scrutinise the applications for the fence and the PROW prior to granting the applications.

The decision:-

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

Voting record:-

A vote was taken, and the motion was carried with 6 votes for, and 1 abstention.

As per their earlier declaration, Councillor's Packham and Jordan left the meeting at this point and did not return.

**5 ZG2023/1268/FUL - Proposed Upgrading works to the existing streetscape at Land to the junction with Wolsey Croft and Low Street, Sherburn in Elmet, North Yorkshire**

Considered:-

The Assistant Director Planning – Community Development Services sought determination of an application for upgrading works of the streets surrounding the junction of Low Street and Wolsey Croft in Sherburn in Elmet.

The Town Councillor, David Buckle, spoke in support of the application.

It was noted that Members felt that the scheme was very good, however they would like to have seen electric vehicle charging points included.

The decision:-

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

Voting record:-

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

**6 Any other items**

There were no urgent items of business.

**7 Date of Next Meeting**

Wednesday 12 June 2024 – Civic Centre, Selby.

The meeting concluded at 2.40 pm.