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North Yorkshire Council

Selby and Ainsty Area Constituency Planning Committee

Minutes of the meeting held on Wednesday, 12th June, 2024 commencing at 2.00 pm.

Councillor John Cattanach in the Chair plus Councillors Cliff Lunn, Bob Packham, Arnold Warneken, Stephanie Duckett (as a substitute for Councillor Shaw-Wright) and Andy Paraskos (as substitute for Councillor Crane)

Officers present: Kelly Dawson - Senior Solicitor, Planning and Environment, Hannah Blackburn - Planning Development Manager, Nick Turpin – Planning Manager (Development Management), Bethany Harrison - Career Grade Planning Officer, Jac Cruickshank - Senior Planning Officer, Gerard Walsh - Principal Development Management Officer, Laura Zielinski - Solicitor, Business and Environment (observing); and Dawn Drury – Democratic Services Officer

Apologies: Mark Crane, Mike Jordan and Steve Shaw-Wright

Copies of all documents considered are in the Minute Book

8 Apologies for Absence

Apologies noted (see above).

9 Minutes for the Meeting held on 1 May 2024

The minutes of the meeting held on Wednesday 1 May 2024 were confirmed and signed as an accurate record.

10 Declarations of Interests

Councillor Andy Paraskos declared a non-pecuniary interest in item number 6 of the agenda as he was the Division Member for the area of the application. He confirmed that although it was within his division area he had an open mind and would speak and vote on 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.

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 refused planning permission the reasons for that decision are as shown in the report.

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.

11 ZG2024/0203/FUL - White Gates, Main Street, Bilbrough, YO23 3PH

Considered:-

The Assistant Director Planning – Community Development Services sought determination of an application for the erection of a replacement dwellinghouse following the demolition of an existing two-storey dwelling and renovation and extension of the existing one-and-a-half storey cottage to allow for its use as an annex, and refurbishment of the existing stable for use as a store on land at White Gates, Main Street, Bilbrough.

The Career Grade Planning Officer presented the application.

Elliott Noble spoke on behalf of Bilbrough Parish Council in support of the application.

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

The applicant, Robert Pilcher, spoke in support of the application.

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

- Members queried to what was the extent of the dereliction of the dwelling to be demolished, and when had the dwelling last been inhabited.
- In view of the level of support shown for the application by local residents, it was queried why a formal response had not been received from Bilbrough Parish Council.
- It was queried if the existing dwelling was surrounded by other dwellings, or whether it had open countryside to the rear of the dwelling.
- Members were not opposed to the re-development of the site however they did agree that the planning officer's reasons for refusal of this application were valid. It was felt that should an application for a more appropriate dwelling, built within the original footprint be submitted, planning permission may be granted in the future.

An amendment to the officer recommendation for refusal was put forward by Members of the Committee, for a deferral of the application, to allow Members and officers to develop a rationale for special circumstances. A vote was taken but the motion fell; it was subsequently moved and seconded that the application be refused

The decision:-

That planning permission be REFUSED.

Reason:-

The Committee agreed with the reasons for refusal put forward by the Career Grade Planning Officer in section 12 of the report.

Voting Record:-

An amendment to the officer recommendation for refusal was put forward by Members of

the Committee, for a deferral of the application, to allow Members and officers to develop a rationale for special circumstances. A vote was taken with 3 votes for and 3 votes against, at which time the Chair used his casting vote, and the motion fell.

It was subsequently moved and seconded that the application be refused. A vote was taken with 3 votes for and 3 votes against, at which time the Chair used his casting vote. The motion to refuse the application was therefore carried.

12 ZG2024/0125/FUL - Birchwood Lodge, Market Weighton Road, Barlby

Considered:-

The Assistant Director Planning – Community Development Services sought determination of an application for the demolition of an existing mower shed and the erection of a replacement mower shed at Birchwood Lodge, Market Weighton Road, Barlby.

The Division Councillor, Karl Arthur, spoke objecting to 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.

13 ZC23/04309/FULMAJ - Ground-mounted Solar Farm on land to the north of Moto Wetherby Motorway Service Area (MSA), Kirk Deighton, Wetherby, North Yorkshire

Considered:-

The Assistant Director Planning – Community Development Services sought determination of an application for the construction and operation of ground-mounted solar farm with a generation capacity of 7mw together with associated infrastructure and landscaping on land to the north of moto Wetherby motorway service area, Kirk Deighton, Wetherby, North Yorkshire.

The Principal Development Management Officer drew Members attention to two updates since the publication of the Committee agenda pack on the 4 June 2024. The first in respect of the objection received from the Environment Agency, who had confirmed that they maintained their objection to the application. This was on the basis that the Flood Risk Assessment contained insufficient information to adequately assess the potential flood risk posed by the development, to include not stating the design flood level.

The second update was regarding the officer recommendation within the Committee report; following advice received from the Senior Lawyer to the Committee, the recommendation had been amended to read as follows:-

Members are MINDED TO GRANT planning permission subject to the conditions proposed, completion of a S106 agreement with terms as detailed in Table 1; and the satisfactory resolution of any outstanding concerns from the Environment Agency, to include any additional conditions necessary to address their concerns, and that determination of the application be delegated to the Assistant Director for Planning – Community Development

Services.

The applicant, Jess Lockwood, spoke in support of the application.

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

- Members queried, from the northern boundary, how close would the solar farm be to the nearest residential property.
- In terms of the management of the land beneath the solar panels, it was queried whether a condition had been imposed regarding spraying of the land to control growth of any vegetation.
- Whether there was the potential, and suitability for the land to be grazed by livestock.
- Clarification was sought on the access to the site for construction traffic, to ensure that there would be no adverse effect on the flow of traffic on the A1(m).
- The timescale, if any, for the replacement of the solar panels.
- Members commended the planning case officer on a comprehensive Committee report.

The decision:-

That Members were MINDED TO GRANT planning permission subject to the conditions detailed in Section 12 of the Committee report, completion of a S106 agreement with terms as detailed in Table 1; the satisfactory resolution of any outstanding concerns from the Environment Agency, to include any additional conditions necessary to address their concerns, and determination of the application be delegated to the Assistant Director for Planning – Community Development Services.

Voting Record:-

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

14 Any other items

There were no urgent items of business.

15 Date of Next Meeting

Wednesday 10 July 2024 – Civic Centre, Selby.

The meeting concluded at 4.03 pm.