



# Gateforth Parish Council

**CHAIRMAN: CLLR CAROLINE SHAW**

**Clerk/RFO: Graham Earnshaw, 14 High Farm Meadow, Badsworth, WF9 1PB**  
**Email: [gateforthpc@gmail.com](mailto:gateforthpc@gmail.com)**

## MINUTES OF GATEFORTH PARISH COUNCIL

**The meeting of Gateforth Parish Council was held on Monday 28<sup>th</sup> March 2022 at 8pm at Chapel Haddlesey Community Hall**

**17483. Attendance/Welcome: Present:** Cllrs Caroline Shaw (Chair), Andrew Collier (Vice Chair), Richard Longbottom, Gordon McGlone, Diane Osborne and Tony Parkin. Graham Earnshaw – Parish Clerk was also in attendance. There were no members of the public in attendance.

The Attendance Book was not available to sign.

**17484. Apologies:** Apologies had been received from Cllr Sherratt (illness).

**17485. Declarations and Dispensations:** There were no declarations of interest or requests for dispensations made.

**17486. Minutes:**

**a. RESOLVED: to accept the minutes of the Council meeting held on 13<sup>th</sup> January 2022 and the minutes of the Extra Ordinary meeting held on 24<sup>th</sup> January 2022.**

**b.** Chair signed the minutes as accepted.

**17487. Public Comments:** there were no members of the public present at the meeting.

**17488. Code of Conduct**

The Chair emphasised that all councillors need to follow the guidance set out in the Code of Conduct.

**Resolved:** It was agreed unanimously that all the councillors need to read the Code of Conduct and should also sign to say that they agree to follow the procedures contained in the document.

The clerk was asked to read out an email from Cllr Shaw to Cllr Sherratt about the attendance of members of the public at the Extra Ordinary meeting held on 24<sup>th</sup> January. The clerk was also asked to read out an email from Cllr Sherratt requesting to meet with the Chair and Vice Chair to discuss issues relating to the procedures followed in the Parish Council meeting held on 13<sup>th</sup> January and the Extra Ordinary meeting held on 24<sup>th</sup> January, as the matter had become personal and had left her feeling excluded and marginalised. The Chair (Cllr Shaw) read out her email response to Cllr Sherratt advising that the matter was not personal and advising that there was no need to meet up as all business needed to be conducted in the Parish Council meetings. Cllr Shaw had not had any further communication from Cllr Sherratt.

Cllr Collier had also responded by email to Cllr Sherratt advising that he agreed with the Chair that the matter was not personal and should be discussed at the meeting.

Cllr Collier commented that the Council had complied with the Code of Conduct in the way it had handled issues in the Parish Council meetings.

The Clerk and Chair had obtained advice from YLCA to ensure the process followed in the meetings was correct.

**Action:** The Code of Conduct item would be included again on the agenda of the next Parish Council meeting.

The clerk was asked to read out an email from Ms India Haresign that was sent to the Parish Council on 3<sup>rd</sup> February. The email said that Ms Haresign felt there had been a lack of transparency by the Parish Council in relation to their publication of the planning advice that the Parish Council had commissioned from the planning advisor and we had not given her a heads up about the date of the Extra Ordinary meeting held on 24<sup>th</sup> January. The Council said that the date of the meeting had been put on the Council website as usual and it felt it had followed the Code of Conduct in relation to the way it had handled the publication of the planning advice it had commissioned.

## **17489. Planning:**

### **a) Applications for consideration**

There were no applications to consider.

### **b) Decision Notices to be noted**

**2021/1398/S73** – Section 73 application to vary condition 02 (approved drawings) of approval 2020/0411/FUL. Demolition of existing farmhouse and construction of a new farmhouse, barn conversion and infilling of open barn to create office accommodation for connected agricultural business granted on 3 September 2020. Fir Tree Farm, Landing Road, Gateforth. **Permission granted subject to conditions set out in the notice.**

### c) Report from Planning Advisor regarding planning application

#### 2021/1490/OUT

The Council discussed the publication of the planning advisor's report and agreed the following resolution unanimously:

**Resolved:** That the letter of objection presented by the Council to the Planning Department at Selby District Council should be published as an addendum to the minutes of the meeting held on 24<sup>th</sup> January 2022 along with the summary of the report that was read out in the meeting on 24<sup>th</sup> January.

#### 17490. Finance

##### a. Finance Report from the Clerk:

The Council's financial balance at 1<sup>st</sup> March 2022 is as follows:

<b>General Fund</b>	<b>£1,090.46</b>
<b>Capital Fund</b>	<b>£36,567.64</b>

#### Payments

<b>Payee</b>	<b>Description</b>	<b>Amount</b>
Chapel Haddlesey Community Hall	Room Hire	£9.00
G Earnshaw	Salary for January + expenses (home working allowance)	£127.44
Borrows Planning Consultancy	Planning advice in relation to planning application 2021/1490/OUT	£50.00
Backhouse	Environmental and pest services	£39.26
G Earnshaw	Salary for February + expenses (home working allowance)	£127.44

##### b. Appointment of an internal auditor

**Resolved:** That the Parish Council agreed unanimously to appoint Mr. Chris Phillipson to be the internal auditor for the Parish Council accounts for 2021/22.

##### c. Salary for Parish Clerk (new rates recommended by NALC from 1<sup>st</sup> April 21)

**Resolved:** That the Parish Council agreed unanimously to increase the clerks' salary from 1<sup>st</sup> April 2021 in line with the recommendation made by NALC.

#### 17491. Discuss ongoing issues and agree action:

a) Tree survey – The clerk had contacted the insurance company and they had confirmed that Mr Tapperell would need to have public liability insurance cover and

professional indemnity insurance in order to meet the conditions of the Parish Council's insurance policy.

**Action:** Clerk to check with Mr Tapperell that he had public liability insurance cover and professional indemnity insurance.

b) Queens Platinum Jubilee event – The Chair reported that tickets for the event had nearly sold out. The clerk reported that the Lord Lieutenant of North Yorkshire would be willing to attend a tree planting ceremony at Gateforth and had requested that some dates for the event be provided to her.

**Action:** Clerk to contact the Lord Lieutenant to advise that the Parish Council would get back in touch with some dates for the ceremony.

c) State of Roads out of the Village – The Council remarked that some of the roads were in a poor state. The clerk read out a letter from the Highways Department asking the Parish Council to let them have details of the roads where there was a problem.

**Action:** Cllrs McGlone and Shaw to document the roads issue and send the details to the clerk.

d) Tree planting initiative – this item had been covered already.

e) Speeds on Hillam Road, Gateforth – this issue was on-going.

f) Publication of Newsletter – The Parish Council agreed that the newsletter should be published after the Queens Platinum Jubilee event so that a report on the event could be included in the newsletter.

### **17492. Action Log**

The Parish Council discussed the action log and noted that most of the actions were up to date. It was suggested that a copy of the action log should be put on the Council website and the log should be password protected so that only councillors could access the document.

### **17493. Village Gates**

Cllr McGlone had investigated the possibility of installing village gates on the roads leading into the village. There were 3 points of entry into the village. There would be room for a 1-metre width gate at each point of entry, the gates would cost £442 + VAT each. A notice could also be put on the gate about the speed limit through the village at an additional cost of £40. The gates would slow down traffic coming through the village.

**Action:** Clerk to write to the Highways Department at SDC to ask about the procedure for installing the gates.

#### **17494. Signs in the village about the footpaths**

It was agreed to defer this item to the next meeting.

#### **17495. Election nominations for the Parish Council**

Nomination forms had to be completed by each councillor that wanted to be considered for election to the Parish Council in the forthcoming elections in May 2022. The forms had to be submitted by 5<sup>th</sup> April 2022.

#### **17496: Correspondence Received:**

Chapel Haddlesey Church Hall fees: An email had been received advising the Parish Council that the fees for the hire of the community hall had increased to £12 per hour for the main hall and £9.50 per hour for the meeting room.

Gocompare link on website: An email had been received from Gocompare requesting that a link to their guide to flooding be included on the Parish Council website. The Parish Council agreed that the request should be refused.

Great British Spring Clean 2022: Correspondence had been received asking the Parish Council to consider signing up to the Spring Clean initiative. The Parish Council agreed it should sign up to the initiative.

**Action:** Clerk to sign up to the Great British Spring Clean event on behalf of the Parish Council and to order bags for the event.

Sponsorship of Marquee for Queen's Anniversary: The Jubilee Group was managing the event. The Parish Council had agreed to contribute to the event.

**Action:** Clerk to forward the email regarding sponsorship of the marquee to the Jubilee Group.

Letter from SDC regarding Complaint about Lowfield Piggery: The clerk read out a summary of the letter from the Council. The Council apologised that the Parish Council had not been formally consulted about the application. The Council advised that once the discharge of condition application is submitted, they would ensure the Parish Council would have the opportunity to comment through the formal consultation.

#### **17497: Minor items:**

- Dog bins: SDC had advised that the placement of the new dog bin was now on their work schedule but they could not say when the work would be completed.
- Village Phone Box: The door of the phone box had been damaged during a storm. The Parish Council owns the phone box. The insurance company had confirmed that the phone box was covered under the Parish Council insurance policy. Cllr Longbottom offered to repair the door and the Parish Council agreed to fund the cost of the materials.

- Pack for new councillors: It was agreed that a pack of policies should be prepared for distribution to all the new councillors elected to the Parish Council in the May 2022 elections. The pack should include a copy of the Code of Conduct, Financial Regulations and Standing Orders.

**17498: Items for the next agenda:** The following items should be included on the next agenda:

- Code of Conduct (form to be drafted for councillors to sign to say they had read the document and agreed to follow the procedures contained in the document);

**Action:** Cllr Collier to check the wording of the draft form.

- FOI Policy approval.

**17499: Date of next meeting:** The Parish Council agreed that the next Parish Council meeting should be held on Monday 30<sup>th</sup> May 2022 at 8pm.

The meeting closed at 9.45pm.

## **ADDENDUM**

Copy of the letter of objection that the Parish Council sent to Selby District Council regarding the planning application **2021/1490/OUT**:

Development Management  
Selby District Council  
Civic Centre  
Doncaster Road  
Selby  
North Yorkshire  
YO8 9FT

31<sup>st</sup> January 2022

### **Planning Application 2021/1490/OUT**

Dear Sir/Madam,

Gateforth Parish Council has now discussed the above outline planning application and would like to draw your attention to the following comments:

Firstly, the Parish Council would like to make it clear that it has voted to object to the planning application.

The reasons for the objection are set out in the statement below, noting that they relate to two areas:

1. The specific outline planning application proposing the erection of a new self build dwelling.
2. Wider issues affecting the site which were raised in the Parish Council meetings where this application was discussed (13<sup>th</sup> and 24<sup>th</sup> January 2022).

Secondly, the Parish Council would like to make you aware that it has engaged with an independent planning consultant to examine this planning application. Some of the comments made below are based on the advice this consultant has provided. However, the Parish Council would like to make it clear that it has read and discussed the advice provided in full and has approved the following statement.

It should also be noted that at the meeting held on 13<sup>th</sup> January 2022, the Parish Council agreed that it should comment on the following material planning considerations in relation to this application:

- Representation from others;
- Effects on an area;
- Planning history of the site; and
- Precedent

### **Representation from others**

The feedback under this heading is based on representations made by residents of Gateforth at public Parish Council meetings held on 13<sup>th</sup> January and 24<sup>th</sup> January 2022. In addition, the feedback also includes comments raised by the Parish Council during these meetings.

- it was noted by Gateforth Parish Council that the planning application in question was for outline planning permission. Discussions with the applicant at the Parish Council meeting on 13<sup>th</sup> January 2022 confirmed that the house the couple intend to build will be a self-build and will replace a shipping container on the land, which the couple are currently living in. The shipping container has been at the site since 2018. The house will be built on the same plot as the container and will possibly be a 3 bedroomed, two storey/one and half storey house with an office. No timescales have been mentioned for the self-build, if the planning application is approved, would the couple be able to continue to live in the shipping container without planning permission?
- Concerns around vehicles accessing the site and the impact on the traffic/highways in the village was raised. It was also questioned whether there would be adequate parking on site.
- Parishioners raised concerns in relation to the visual impact that the new house may have, including from the nearby public footpath although the Parish Council is not sure whether is the case.
- The potential issue of whether anyone would require access to the land behind the site was highlighted to the Council.
- Parishioners outlined that there is also a business that is currently run from the container and requested information on what will happen about that in relation to this planning application. We noted that the applicants said they would look to build a new workshop on the same site for the business.
- Parishioners raised concerns relating to a noise issue with regards to the current business operations at the site (which they believe does not have planning permission).
- Parishioners raised questions about flooding and drainage/sewage on the site and wondered if the self-build would have any impact.
- It was believed that the new house would be built outside the development limits for Gateforth. (Following advice from a planning advisor (see below), it is understood that this planning application is indeed outside the development limits for Gateforth.)
- Residents discussed what the land had been used for previously; and it was believed to be agricultural land that was sold to Old School House which has since been used as a field.



- A number of concerns were raised regarding the planning permission for other buildings currently on the site. It was believed that the only permission granted appears to be for a building for equestrian purposes. It was noted that the applicants confirmed they do not have planning permission for the shipping container where they currently live.

### **Effects on an area**

- The applicant's agent states that the site falls within Flood Zone 2, although the Environment Agency in their response state that the site falls within a mix of flood zone 2 and zone 3. Taking the Environment Agency's response as the most reliable source, we believe that means the application needs to be accompanied by a Site Sequential Assessment.
- National Planning Policy Framework (NPPF), paragraph 164, states that most forms of development (including outline applications such as this) should be accompanied by Site Sequential Assessment, the purpose of which would be to demonstrate that there are no other, sequentially preferable sites available which could accommodate this development.
- This application is not accompanied by a site sequential assessment and indeed the agent's reference to flood risk at his page 20 refers only to the site-specific Flood Risk Assessment, which does accompany the application.
- The application site falls within open countryside beyond the development limits for Gateforth village. These development limits can be found within the Selby District Local Plan (SDLP) which was adopted in 2005.
- The application site is clearly outside development limits for the village and that the reasons put forward which he [*the agent for the applicant*] believes are "material" look somewhat thin (working from home, the proximity of the applicant's business even though there is some doubt as to its lawfulness)

### **Planning history of the site**

The Planning Statement, which accompanied the application, refers to a shipping container occupying the site, as if it forms part of the planning story of the Old School House. The planning advisor has not been able to find any record of it being approved.

There is reference in the submission to Mr Barlow – one of the applicants, having his own business adjoining the application site. The planning advisor has not been able to find any reference as to the presence of a planning approval.

The planning backdrop to this application is that the application site, whilst arguably forming part of a domestic curtilage, nevertheless sits in open countryside beyond the development limits for Gateforth village.

### **Precedent**

- The difficulty in allowing development outside a village envelope is that it could be repeated too often to the detriment of the character of linear villages such as Gateforth.
- A recent application (2021/1054/FUL) for planning permission relating to a two 4 bedroom detached houses in the garden space of Melton Cottage was refused; with a subsequent appeal also refused. The site of this refused planning application is adjacent to the one in question here for Old School House.
- The Parish Council would argue that the issues raised with this application would also apply to the Old School House. Namely:
  - *Whether the site is a suitable location for residential development having regard to the accessibility of services and facilities;*
  - *The effect of the proposed development on the rural character of Gateforth;*
- It would also argue that the reasons for rejection of the appeal also apply to the planning application at Old School House. Namely:
  - *The appeal site is located on the edge of Gateforth a predominately residential village set within a wider rural landscape.*
  - *The existing development pattern for the housing within the village largely consists of buildings in a linear pattern being clustered around the road network with agricultural fields surrounding them.*
  - *Whilst the village is predominately residential, its character is intrinsically rural.*
- This precedent would imply that another similar development in the garden behind the Old School House should not be granted.

Summary of the report read out at the meeting on 24<sup>th</sup> January 2022:

The planning considerations the Parish Council raised were:

- Representations from others;

- Effects on an area;
- Planning history of the site;
- Precedent

## **Representation**

This will consist of the comments from residents at the Parish Council meetings.

The following text is based on a summary of the information provided by the Planning Advisor.

## **Effects on an area**

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2. National Planning Policy Framework (NPPF) Paragraph 164 [states] that most forms of development (including outline applications such as this) should be accompanied by Site Sequential Assessment, the purpose of which would be to demonstrate that there are no other, sequentially preferable sites available which could accommodate this development?

3. This application is not accompanied by a site sequential assessment and indeed the agent's reference to flood risk at his page 20 refers only to the site-specific Flood Risk Assessment which does accompany the application.

4. The application site falls within open countryside beyond the development limits for Gateforth village. These development limits can be found within the Selby District Local Plan (SDLP) which was adopted in 2005.

5. The application site is clearly outside development limits for the village and that the reasons put forward which he [the agent for the applicant] believes are "material" look somewhat thin (working from home, the proximity of the applicant's business even though there is some doubt as to its lawfulness)

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