

Officer Update Note

12th October 2016

Agenda Item 6.1

APPLICATION NUMBER:	2016/0910/FUL	PARISH:	Tadcaster Town Council
APPLICANT:	Mr Marsden	VALID DATE:	3 rd August 2016
		EXPIRY DATE:	28 th September 2016
PROPOSAL:	Proposed 3 bedroom dwelling and 2no. 1 bedroom flats		
LOCATION:	Land adjacent to 26 Westfield Crescent, Tadcaster		

1.5 Publicity

Two further comments have been received from neighbours. One from no. 22 Westfield Crescent refers to right of access through no. 26 Westfield Crescent garden. Another comment refers to gardens of Westfield Crescent once being allotments and apparently in the deeds there is a restriction to build on the land. This planning application would not override non-planning related restrictions and is given minimal weight in the determination of the application.

For clarity, the agent has provided an amended site plan which shows a gate access to the neighbour's garden. This amended drawing number 878.002 Ref F is for consideration.

Agenda Item 6.2

APPLICATION NUMBER:	2016/0955/HPA (8/12/47P/PA)	PARISH:	Thorganby Parish Council
APPLICANT:	Mandale Homes Ltd	VALID DATE:	11th August 2016
		EXPIRY DATE:	6th October 2016
PROPOSAL:	Section 73 application to amend condition 06 (drawings) of approval 2013/0574/HPA (8/12/47E/PA) for barn conversion and alterations and conservation area consent for partial demolition		
LOCATION:	Ings View Farm, Main Street, Thorganby		

Section 1.5 Publicity

One further letter of comments has been received on the application from a further property, in summary this makes the following points:

- the alterations to the roof line of this barn and the extension of its footprint. It is within a Conservation Area where the ribbon development make the village almost unique within North Yorkshire. It is part of the fabric of this area in a site where the pan-tile roofs blend into the other fabric of the village as viewed from the road.
- This development is linked to the development of the wider site
- The signage on the frontage advertising the development is unacceptable
- This scheme will not reflect the floor plan and walls which it should and would be consistent with other decisions made by the Council in the village and at other sites.

Section 2

Queries have also been raised by objectors since the publication of the Agenda in relation to Section 2 of the Officers Report, particularly Paragraph 2.4.8. Officers have advised Members that “the red line on the S73 Application has been amended to a reduced site area over that within the original application (2013/0574/HPA), which reflects the redevelopment of the wider land ownership. The applicants have also confirmed that the dwelling would still be a single unit as part of Ings View House. In any instances Officers would note that should Ings View Farm be split into two units consent would be required from the Local Planning Authority”. This clarification was included in the report in the context of comments received on the application and to ensure Members were clear that should the occupiers of Ings View Farm wish to split the house into 2 dwellings consent would be required.

2.5 Conclusion

In addition to paragraphs 2.5.1 and 2.5.2, it is considered that the proposal would not adversely impact the setting or significant views into or out of the Conservation Area and the scheme would be compatible with the character and appearance of the area.

Agenda Item 6.3

APPLICATION NUMBER:	2015/0202/FUL (8/78/117/PA)	PARISH:	Bolton Percy
APPLICANT:	Joan Penty	VALID DATE:	24th February 2015
		EXPIRY DATE:	21st April 2015
PROPOSAL:	Proposed erection of 2 No detached houses with associated garages		
LOCATION:	Low Farm Road Bolton Percy Tadcaster North Yorkshire		

Parish Council

Re-iterate their concerns, summarized below.

1. Lack of access near the properties for delivery vehicles/refuse collection and oil deliveries. Any vehicle would block main entrance to the village, which is a single track road.
2. Watercourse/Drainage. Agree with IDB. Proposed rate of discharge from the site is not sustainable. Potential to increase the risk of flooding elsewhere in the village and in particular, the properties which have to be defended by the village pump, which are close to the watercourse.

Drainage Board comments

1. The applicant has indicated that they intend to discharge surface water to an existing drainage asset to the east of the development site, which they advise subsequently discharges into The Foss (a Board maintained asset). The Board is unaware of the ownership of the asset that the applicant is referring to. If the applicant intends to discharge, or increase the discharge, into any asset it would need to be identified and the applicant must produce written evidence of consent from the appropriate authority along with confirmation that the asset has sufficient capacity. This may be from the Flood Authority or water utility company.
2. The applicant has indicated that they wish to discharge at the rate of 1.5l/s. Where any discharge is to enter an ordinary watercourse, or a Board maintained watercourse within the Boards drainage district, the Board would want to see the rate of discharge constrained and would not want the total rate to exceed the "greenfield" rate (1.4 l/s/ha) plus an allowance for any "brownfield" areas of the site which are currently impermeable and where there is positive drainage and a proven connection to the watercourse (at the rate of 140 l/s/ha), less 30%.
3. The Board would further hope that the Local Authority would seek the same criteria for watercourses outside the Board's district. The Board is confident that, if correctly selected, technical solutions are available which can provide low flow control, which can be maintained and without being prone to blockages. The Board continues to object to this application on the basis that the proposed rate of discharge from the site is not sustainable and has the potential to increase the risk of flooding elsewhere.

Applicants response

1. Agree to required discharge rate. Confident this can technically be achieved and accept a planning condition requiring further details of this to be approved prior to commencement.
2. The owner has a right to discharge surface water to the ditch to the south of the site.

Officers response

Parish Council comments noted. No new issues raised.

Recommend that the application be approved as recommended subject to following additional conditions the attached conditions and subject to the following additional conditions and reason.

No development shall commence on site until a scheme for the discharge of surface water from the site incorporating sustainable drainage details (with the total discharge rate not exceeding the 'greenfield rate (1.4 L/s/ha) plus an allowance for "brownfield" areas of the site which are currently impermeable and where there is positive drainage and a proven connection to the watercourse (at the rate of 140 l/s/ha), less 30%), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the surface water drainage system has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Agenda Item 6.4

APPLICATION NUMBER:	2016/1023/FUL (8/37/337B/PA)	PARISH:	Eggborough Parish Council
APPLICANT:	Selby District Council	VALID DATE:	24 August 2016
		EXPIRY DATE:	19 October 2016
PROPOSAL:	Section 73 application to remove/vary condition 13 (HGV) of approval 2015/1240/FUL Proposed demolition of existing garage block and the erection of 5 No. new 2 bedroom bungalows, plus the provision of additional parking on the garage site accessed from Westfield Road at		
LOCATION:	Parking court behind 18-34 Westfield Road, Eggborough, Goole, East Yorkshire		

There is a typo within the summary, paragraph 2.9.2 and condition 13. For clarity, the condition should read as follows:

13. During construction works there shall be no:
- (1) Heavy Goods Vehicles exceeding 7.5 tonnes except for:
 - a) the delivery of roof joists, and
 - b) the delivery of materials (concrete, aggregates, hardcore and screed) by the use of 6m³ concrete vehicles, not exceeding 20 Tonnes (unladen) weight.
 - (2) On the days of delivery parking restrictions are required to be but in place on streets leading to the site with the provisions of alternative parking arrangements for residents which shall be submitted to and approved in writing by the Local Planning Authority prior to the first delivery of materials to the site.

Reason:

In accordance with Policies T1 and T2 of the Selby District Local Plan and to avoid conflict with vulnerable road users.

Agenda Item 6.5

APPLICATION NUMBER:	2016/1024/FUL (8/37/338B/PA)	PARISH:	Eggborough Parish Council
APPLICANT:	Selby District Council	VALID DATE:	24 August 2016
		EXPIRY DATE:	19 October 2016
PROPOSAL:	Section 73 application to remove/vary condition 13 (HGV) of approval 2015/1237/FUL Proposed erection of 5 No. new 2 bedroom bungalows, plus the provision of additional parking following demolition of existing garages on the garage site accessed from Westfield Grove		
LOCATION:	Parking Court behind 2-10 Westfield Grove, Eggborough, Goole, East Yorkshire		

There is a typo within the summary, paragraph 2.9.2 and condition 13. For clarity, the condition should read as follows:

13. During construction works there shall be no:
- (1) Heavy Goods Vehicles exceeding 7.5 tonnes except for:
 - a) the delivery of roof joists, and
 - b) the delivery of materials (concrete, aggregates, hardcore and screed) by the use of 6m³ concrete vehicles, not exceeding 20 Tonnes (unladen) weight.
 - (2) On the days of delivery parking restrictions are required to be but in place on streets leading to the site with the provisions of alternative parking arrangements for residents which shall be submitted to and approved in writing by the Local Planning Authority prior to the first delivery of materials to the site.

Reason:

In accordance with Policies T1 and T2 of the Selby District Local Plan and to avoid conflict with vulnerable road users.

Agenda Item 6.6

APPLICATION NUMBER:	2016/0580/REM (8/19/1011A2//P A)	PARISH:	Selby Town Council
APPLICANT:	Persimmon Homes	VALID DATE:	29 May 2015
		EXPIRY DATE:	19 October 2016
PROPOSAL:	Reserved Matters application for the erection of No.44 dwellings, community facilities and retail units following outline approval 8/19/1011C/PA (C0/2002/1185)		
LOCATION:	Staynor Hall, Abbotts Road, Selby		

Paragraph 1.2.4 needs to be amended to include the size of the retail units.

Therefore, this sentence should read as: " There would be two retail units that are 38.5sqm in size"

The following Conditions have been amended:

Condition 2 (Materials)

Prior to commencement of development of the buildings approved, samples of the materials to be used in the construction of the external surfaces of those buildings, which includes external features such as windows, window reveals, facade panels, head and cil treatments, external metal works, bricks, lintels and coping, shall be submitted to and approved in writing by the local planning authority.

A sample panel of the facing materials to be used shall be erected on site to establish the detail of the bonding, coursing, colour, type of jointing and any special brick patterning (e.g. perforated, striped alternated courses) shall be agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan and policy SP19 of the Core Strategy.

Condition 6

The words Community Room to be replaced by 'Community Center'.

Condition 12

No development shall take place until a detailed acoustic report on the expected noise levels of the combined uses of retail, community centre and the neighbouring school at the development site has been submitted to and been approved in writing by the Local Planning Authority. The acoustic report should also take into account the individual noise levels of each particular use.

The report shall include a scheme of noise insulation measures for all residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of residential accommodation by noise from the following the development of two retail uses, a community hall and the neighbouring primary school. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the occupation of the dwellings and be permanently maintained thereafter.

Reason: In order to safeguard the amenities of nearby occupiers in accordance with ENV1 of the Selby District Local Plan. The details are needed prior to the start of work as the acoustic report may require changes to the design details.

Condition 13:

Central/001 Rev G

Staynor Hall/AI/A1 –Planning/01

Staynor Hall/CA/A3 –Planning/01

Staynor Hall/GR/A3 –Planning/01

Staynor Hall/MN/A3 –Planning/01

Staynor Hall/RU/A3 –Planning/01

Staynor Hall/HE/A3 –Planning/01

Staynor Hall/MS/A3 –Planning/01

Plans and Elevations REV B

Plans and Elevations REV C

Plans and Elevations REV E

Plans and Elevations REV H

AY-R/A3-Planning 01

Proposed Community Centre 003

Swept Path Analysis LTP/2598/T1/001/01 Rev O

In addition to these amendments, the following conditions are to be included on the decision notice (in the event of an approval):

Disabled Access

The community centre should be designed to meet the Building Regulation Standards and national and local plan policies, so that the final operator will be able to meet the requirements of the Equalities Act 2010 (which superseded the Disability Discrimination Act 1995), as well as delivering safe and accessible use of the building for all occupiers.

Reason: To ensure a socially inclusive and sustainable development and that a minimum level of parking spaces is provided for use by people with disabilities in accordance with Policy ENV1 of the Selby District Local Plan

Fitted out

The Community Hall is to be built out prior to the commencement of the development, and in accordance with the plans. It shall also be provided "ready for occupation" and completed to a specification to be agreed with the council.

Reason: To ensure that there is usable community space ready and available for the new residents of the scheme in accordance with Policy ENV1 of the Selby District Local Plan and Policy SP12 of the Core Strategy.

Community Centre Car Park

The Community centre car park is limited to only those people using the community hall facilities, and will be gated shut after the hours of use and prior to the earliest delivery hours of the retail units.

Reason: To ensure the provision and availability of adequate parking facilities for the Community Hall in accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan and policy SP12 of the Core Strategy 2013.

Community Car Park Disability Bays

At least 10% of the car parking spaces in the Community Centre car park will be provided as designated accessible car parking spaces unless otherwise agreed in writing by the LPA.

REASON: To ensure a socially inclusive and sustainable development and that a minimum level of parking spaces is provided for use by people with disabilities in accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan, and policy SP12 of the Core Strategy.

Retention of Retail units

The two retail units shall remain in A1 use unless otherwise in agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate level of amenities in accordance with Policy ENV1 of the Selby District Local Plan.

Artificial Lighting

No building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers in accordance with ENV1 of the Selby District Local Plan.

Affordable Housing

The location and number of the affordable housing units to be built in accordance with plan Central/001 Rev G.

Reason: To ensure a mixed and balanced community across the site