



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 5 SEPTEMBER 2018**
Time: **2.00 PM**
Venue: **COUNCIL CHAMBER - CIVIC CENTRE, DONCASTER ROAD, SELBY, YO8 9FT**
To: **Councillor J Cattanach (Chair), Councillor D Peart (Vice-Chair), Councillor I Chilvers, Councillor J Deans, Councillor M Jordan, Councillor R Packham, Councillor P Welch, Councillor L Casling and Councillor R Musgrave**

Supplementary Agenda Officer Update Note

6. Officer Update Note (Pages 1 - 4)

G. Marshall

Gillian Marshall, Solicitor to the Council

Enquiries relating to this agenda, please contact Victoria Foreman on 01757 292046 or vforeman@selby.gov.uk.

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Agenda Item 6

Officer Update Note Planning Committee 5 September 2018

Item 6.2

APPLICATION NUMBER:	2017/1295/FUL	PARISH:	Barlby Parish Council
APPLICANT:	Barratt Homes Yorkshire East	VALID DATE: EXPIRY DATE:	1 December 2017 2 March 2018
PROPOSAL:	Proposed residential development (partial replan of approval 2013/0478/FUL) for twenty-seven dwellings with associated infrastructure		
LOCATION:	Turnhead Farm, York Road, Barlby		

Comments from the Council's Contracts Team Leader comments (Para 2.4.)

The Council's Contracts Team Leader has now provided the following updated comments:

"I've looked at the additional plans and they are acceptable. I note as well that bin presentation points have now been included at the junctions of each of the private drives which is appreciated."

Comments from the County Archaeologist's request (Para 2.6.)

The County Archaeologist has requested a further intrusive evaluation. This is now covered in a Written Scheme of Investigation (WSI) submitted by the applicants and is proposed to be bound into any permission through an updated condition 2.

Para 4.25 of the Officer Report) refers to the need for a surface water drainage condition in line with recommendations from statutory bodies and in the absence of detail on this full application this is addressed in recommended Condition 4.

Planning obligation (paras. 4.27 – 4.28)

The application site is currently bound by a section 106 agreement dated Section 106 dated 30 July 2015 and a Deed of Variation dated 04 December 2017 which establish obligations for 100 of the 233 units that currently stand approved on the development as a whole. A further agreement dated 14 December 2017 establishes obligations relevant to the remaining 133 units. It will be necessary to ensure that the relevant obligations in those earlier agreements are carried forward to bind on the 27 units currently under consideration, but recognising that some of those obligations will now be covered by CIL payments.

Amenity

The proposed Construction Management Plan (CMP) has been amended to include hours of working (8am to 6pm Mon – Fri and 8am to 1pm Sat). Condition 12 can now be updated to include reference to the latest CMP.

Surface water

Surface water drainage proposals have now been updated to include a French drain along the inside east boundary to prevent any surface water run-off entering the neighbouring gardens to the east. This is shown on amended plans now included within an updated plans list within proposed condition 2.

Landscaping

On-site landscaping proposals have also been amended to reflect further discussions. An amended plan is now listed an updated plans list within proposed condition 2.

General

All of the conditions have been framed so as not to be 'pre-commencement conditions' – to preclude any commencement until other things have been submitted to and approved by the local planning authority. By slightly varying the trigger for conditions, it does not delay development but allows nevertheless the local planning authority to retain control of those matters that it is reasonable for the authority to have a say in.

Recommendation

In view of all of the negotiated revisions that have now been received it is recommended that the recommendation is updated as follows:

Paragraph 6.1

That, subject to an appropriate planning obligation to secure:

- 10% affordable housing to be provided off-site (included within the 24 units already secured as part of earlier phases of the development);
- On and Off-Site provision of Recreation Open Space; and
- A Waste & Recycling Contribution

this application is recommended to be APPROVED subject to conditions set out on the main agenda, but with conditions 02 and 12 modified as follows:

02 The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

- Location Plan P17:5118:02
- Site Layout Plan Dwg No P17:5118:01-Rev G
- Landscaping Plans Dwg No P17:5118:106-Rev F
- External Works Dwg and topographical layout (Eastwood & Partners External Works Sheet 6 of 7 Dwg No 36431 006K)
- Boundary Treatments plan P17:5118:05
- House Type Alton P17:5118:10
- House Type Alton P17:5118:11
- House Type Midhurst P17:5118:13
- House Type Midhurst P17:5118:14

- House Type Bedale semi P17:5118:15A
- House Type Bedale triple P17:5118:16
- House Type Bedale triple P17:5118:117
- Flood Risk assessment prepared by BWB LDH/2020/FRA revision dated (02/04/2013)
- Geo Environmental Assessment prepared by Lithos Consulting Report No 1416/1 dated October 2013 and Gas Risk Assessment dated 30 December 2013
- MAP Archaeological Practice Written Scheme of Investigation for Archaeological Trial Trenching dated August 2018
- Construction Management Plan (Execution Strategy Plan Rev H)
- Arboricultural Report ref: JCA 10529/RG

Reason: For the avoidance of doubt and in accordance with policy ENV1 of the Selby District Local Plan.”

- 12 The development hereby approved shall proceed in accordance with the approved Construction Environmental Management Plan (Execution Strategy Plan rev H) received by the local planning authority on 3 September 2018.

Reason: In order to protect the general and residential amenities of the area and the Site of Importance for Nature Conservation in accordance with development plan policies ENV1, ENV10, SP18 and SP19.

Item 6.5

APPLICATION NUMBER:	2018/0281/COU	PARISH:	Hillam Parish Council
APPLICANT:	Hillam & Monk Fryston Cricket Club	VALID DATE: EXPIRY DATE:	6 April 2018 1 June 2018
PROPOSAL:	Change of use from D2 (assembly and leisure) to mixed use D1 (non-residential institution) and D2 (assembly and leisure) to provide a cricket pavilion and nursery		
LOCATION:	Hillam & Monk Fryston Cricket Club, Chapel Street, Hillam, Leeds, West Yorkshire, LS25 5HP		

1. The update sheet provides clarification on paragraph 4.20 which incorrectly references “paragraph 104” of the 2012 NPPF. This should reference paragraph 164 of the 2018 NPPF. The wording of these paragraphs are different but the message is the same and therefore does not alter the assessment of the application.

Item 6.4

APPLICATION NUMBER:	2018/0260/FUL	PARISH:	Bolton Percy Parish Council
APPLICANT:	Mr Robert Penty	VALID DATE: EXPIRY DATE:	8th March 2018 3rd May 2018
PROPOSAL:	Proposed erection of a four bedroom dwelling and garage		
LOCATION:	Low Farm Low Farm Road Bolton Percy York YO23 7AH		
RECOMMENDATION:	REFUSAL		

Letters of support

We have not been able to verify all the letters received. Three out of 16 have been verified. Of the letters unverified;

- It has been pointed out that many letters are similar with similar handwriting
- Many of the letters say the same things
- It is very difficult to say they are genuine so little weight, if any, should be given to these.

Additional Letters

At the time of writing this update a lengthy letter from a local resident has been received. A further update is being prepared and will be provided at the meeting.

Item 6.6

APPLICATION NUMBER:	2018/0541/COU	PARISH:	Sherburn In Elmet Parish Council
APPLICANT:	Chuldow Martial Arts Sherburn	VALID DATE: EXPIRY DATE:	15th May 2018 10th July 2018
PROPOSAL:	Proposed change of use from B1 (light industrial) to D2 (leisure)		
LOCATION:	Unit 4, Swordfish Way, Sherburn In Elmet, North Yorkshire, LS25 6NG		
RECOMMENDATION:	APPROVE		

1. The application is being brought in front of committee as it was originally felt to be a departure from the development plan, however evidence has since been received which would mean it would in fact comply with the relevant policy. However as the application site is a council owned unit it is felt that it is appropriate for the application to still go to committee.