



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 28 OCTOBER 2020**
Time: **2.00 PM**
Venue: **MICROSOFT TEAMS - REMOTE**
To: **Councillor J Cattnach (Chair), Councillor J Mackman (Vice-Chair), Councillor M Topping, Councillor K Ellis, Councillor I Chilvers, Councillor R Packham, Councillor P Welch, Councillor D Mackay and Councillor S Shaw-Wright**

Officer Update Note

5. Officer Update Note 28 October 2020 (Pages 1 - 6)

Janet Waggott

Janet Waggott, Chief Executive

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

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Agenda Item 5

Officer Update Note

28 October 2020

Item 5.1

APPLICATION NUMBER:	2018/1214/HPA	PARISH:	Cliffe Parish Council
APPLICANT:	Mr Peter Beck	VALID DATE: EXPIRY DATE:	7th November 2018 2nd January 2019
PROPOSAL:	Application for the erection of a detached games room, detached garage and extension to an integral "granny flat" annexe (Retrospective)		
LOCATION:	Waterside Park Oakwood Park Market Weighton Road W North Duffield Selby North YorkshiYO8 5DB		
RECOMMENDATION:	GRANT		

Corrections

History section

2017/0233/HPA, Description: Proposed erection of 2 storey extension to include swimming pool to ground floor and bedroom with ensuite to first floor, Address: 1 Waterside Lodge, Oakwood Park, Market Weighton Road W, North Duffield, Selby, North Yorkshire, YO8 5DB, Decision: ~~Pending Consideration~~ ~~This needs withdrawing as it involved a much larger extension to the Cabin at Waterside Lodge.~~

This application has now been withdrawn 22.10.2020.

2019/1223/CPE Certificate of lawfulness to Lawful development certificate for existing use as a dwelling. Issued 23.10.2020.

Report correction - 5.29

The games room has an external access to the first floor on the western gable via external stairs. These stairs have the ability for views into the front garden of Rose Lodge, however the structure is set well in from the boundary an over 30m away from Rose Lodge. No representations have been received in respect of privacy or overlooking and officers do not regard the games room would **not** have any significant adverse impact on the amenities of the occupiers of any neighbouring residential properties. The amenities of the adjacent residents would therefore be preserved in accordance with Policy ENV1 (1) of the Selby District Local Plan.

Item 5.2.

APPLICATION NUMBER:	2019/1216/COU	PARISH:	Thorganby Parish Council
APPLICANT:	Ms Hardcastle	VALID DATE: EXPIRY DATE:	29th April 2020 24th June 2020
PROPOSAL:	Change of use of land to form a 12-pitch touring caravan site including the siting of shower and toilet facilities, new internal access track and associated works.		
LOCATION:	Land Off Westfield Lane Thorganby York		
RECOMMENDATION:	APPROVE		

Since the Officers Report was written amendments have been made to the officer report including typo corrections for clarity. An amendment has been made to condition 10, as follows:

10. The site shall be occupied for holiday purposes only and no caravan, tent or motor home, shall be occupied on a permanent basis. Furthermore, a record of bookings shall be retained and made available upon request.

Reason:

This condition is imposed in the interests of restricting the use of the accommodation to a temporary holiday use only. The Council acknowledges that these sites fulfil an important social function by providing holiday accommodation. It also acknowledges that tourism has an important part to play in the economy of the area and that these sites are important in this respect. However, these considerations must be set against policies SP2 of the Core Strategy which seek to restrict residential development in the open countryside.

Additional information has also been provided by the applicant showing reviews for the existing campsite. The information states that 100% of the reviewers would recommend the site to a friend and 98% would stay here again. In summary, these reviews describe the site as follows:

- Wonderfully relaxing and quiet.
- The host is lovely and welcoming and regularly ensures that customers are okay during their stay.
- Great pub within 5 minutes' walk
- Bus stop at the pub for easy access to the next village, designer outlet and York.

In considering all of the above, this information this is not considered to alter the assessment made.

Item 5.3

APPLICATION NUMBER:	2020/0828/S73	PARISH:	South Milford Parish Council
APPLICANT:	Mr Ian Lindsay	VALID DATE: EXPIRY DATE:	5th August 2020 30th September 2020
PROPOSAL:	Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house		
LOCATION:	Quarry Drop Westfield Lane South Milford Leeds West Yorkshire LS25 5AP		
RECOMMENDATION:	GRANT		

Since the Officers Report was written, five further letters of representation have been received.

One of these is from a resident of South Milford, who supports the proposed development as they consider it has been well thought out to minimise impact on surrounding neighbours. The surrounding area is a mix of house style and they feel this house design will positively impact on the area.

Four of these are further letters of representation are from neighbouring properties who have already submitted representations on the application and object to it. Each includes photographs of the existing development taken from within the boundaries of the respective neighbouring properties. These letters of representation raise the following points:

- The proposed amendments cannot be considered to be minor material amendments due to their scale.
- The scale of the development is unacceptable and would have a significant adverse impact on the character and appearance of the area, as well as the residential amenities of neighbouring properties.
- There is no justification for the increase in the height of the proposed dwelling. Flood risk is not an issue on High Street.
- The submitted Westfield Lane street scene misrepresents the height of 22 Westfield Lane and therefore there are questions over the accuracy of the information provided (Officer Note: having looked through the planning history of 22 Westfield Lane, it is considered that the Westfield Lane street scene accurately portrays the height of 22 Westfield Lane).
- Request that the application is deferred so a full survey of the development and surrounding properties can be undertaken by an independent surveyor.

- Questions raised over the letters of support, most of which are not from residents of South Milford, and where they are, are not from immediately adjoining properties.
- The time the existing development has taken to build and the resultant impact of the residential amenity of neighbouring properties.
- The Highways Officer recommends that the application is refused unless the fence on top of the wall is removed as it does not have planning permission and will restrict visibility.

These further letters of representation have been fully considered by Officers, but do not alter the Officer recommendation set out from page 69 of the agenda, for the reasons set out in the report.

Since the Officers Report was written, the applicant has submitted a 'Statement to Planning Committee', which has been circulated to Members. This raises the following points:

- At the request of Members, further information, including street scenes of the proposal as viewed from both High Street and Westfield Lane and comparison drawings, have been submitted, which it is hoped will allow Members to make approve the application.
- Climate change and a lack of flood protection funding means that there is a significant risk to the lower ground floor from flooding. Moving accommodation to higher levels and providing a mezzanine floor to compensate for the loss of floor area is therefore necessary to future proof the property.
- The introduction of the mezzanine floor has been done in such a way as to minimise impact on neighbouring properties; improve the property's carbon footprint; improve solar gain; and maintain and appropriate design having regard to the character and appearance of the area.
- The project has suffered years of delays. The applicant wants to finish the project quickly and move their family into their new home. A positive decision on this application would allow contractors to be appointed which would accelerate the build allowing a completion within a reasonable timescale. A negative decision will only cause further delay.

The objector registered to speak at the meeting on behalf of all of the objectors, Steve Barker, has circulated his narrative to the Members ahead of the meeting as this includes a number of photographs which will not be able to be shown at the meeting.

In relation to paragraph 5.33 of the Officer Report there is an update. The amendments made under the current application do not relate to boundary treatments or access, but rather to the design of the dwelling itself. With regard to the boundary treatment along Westfield Lane, this would have been potentially been

dealt with through the 2016 consent, which included a condition relating to boundary treatments. However, following the decision of the Planning Inspectorate in relation to the implementation of the 2010 consent, the applicant appears to have decided not to implement the 2016 planning permission but to instead implement a variation of the 2010 planning consent, which did not show boundary treatments and had no condition attached to it relating to boundary treatments. The Council's Planning Enforcement Team have investigated the boundary treatment along Westfield Lane and have concluded that the lawful boundary treatment is 1.8 metres high (that being the 1.2-metre-high wall with the 0.6-metre-high fence on atop). Given the above, Officers do not consider any conditions relating to amending boundary treatments could be reasonably attached to any planning permission granted at this stage.

Item 5.4

APPLICATION NUMBER:	2017/0872/FUL	PARISH:	Tadcaster Town Council
APPLICANT:	North Yorkshire County Council	VALID DATE: EXPIRY DATE:	29 th August 2017 24 th October 2017
PROPOSAL:	Proposed installation of a recreational raised seating area over the existing temporary bridge foundation to be retained		
LOCATION:	Land At Wharfe Bank Tadcaster		
RECOMMENDATION:	REFUSE		

Since the publication of the agenda the applicant's agent has requested that this item be deferred to allow for further discussions between the applicant and the Planning Officer.

Since the Officers Report was written, two further letters of representation have been received. These letters of representation support the recommendation for refusal and highlight the following points:

- There would not be any public benefit to the proposal if it were approved.
- The proposal would create an area of vandalism and for hanging out for people to drink, take drugs and cause a general nuisance to residents, walkers and dog walkers.
- It would be more beneficial to the area, views from the bridge and residents to have the area returned to its previous grass land as was done with the other side of the river once the temporary bridge was removed.
- The application states that there has been no reports of antisocial behaviour and damage in the area, that is not the case there are instances of broken windows on Wharfe bank and any regular patrolling of the area would reveal the groups of young people regularly congregating in the area and depositing of alcohol receptacles and litter.
- No police patrolling is evident to the residents of the area.
- The location of the site very close to the public footpath is very intimidating for walkers passing these groups of youths.
- All the local residents and businesses are not in favour of the development of this site as they have to live with the ongoing antisocial and destructive behaviour on a daily basis.
- Residents were given to understand that on completion of the bridge renovations that the area would be restored to its original state.