



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 7 OCTOBER 2020**
Time: **2.00 PM**
Venue: **MICROSOFT TEAMS - REMOTE**
[\(Click here\)](#)
To: **Councillors J Cattanach (Chair), J Mackman (Vice-Chair),
M Topping, K Ellis, I Chilvers, R Packham, P Welch,
D Mackay and Shaw-Wright**

Agenda

- 1. Apologies for Absence**
- 2. Disclosures of Interest**

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

- 3. Chair's Address to the Planning Committee**
- 4. Minutes (Pages 1 - 8)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 23 September 2020.

5. **Planning Applications Received (Pages 13 - 14)**
 - 5.1. **2019/1020/FUL - Land Adjacent Duddings Farm, High Street, Carlton (Pages 15 - 40)**
 - 5.2. **2020/0218/FUL - Model Farm, Broad Lane, Cawood (Pages 41 - 56)**
 - 5.3. **2020/0485/HPA - 29 Broad Lane, Cawood, Selby (Pages 57 - 70)**
 - 5.4. **2020/0800/HPA - 89 Doncaster Road, Selby (Pages 71 - 80)**

Janet Waggott

Janet Waggott, Chief Executive

Dates of next meeting (2.00pm) Wednesday, 11 November 2020
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Enquiries relating to this agenda, please contact Victoria Foreman on 01757 292046 or vforeman@selby.gov.uk.

Live Streaming

This meeting will be streamed live online. To watch the meeting when it takes place, [click here](#).

Recording at Council Meetings

Selby District Council advocates openness and transparency as part of its democratic process. Anyone wishing to record (film or audio) the public parts of the meeting should inform Democratic Services of their intentions prior to the meeting by emailing democraticservices@selby.gov.uk

Agenda Item 4



Minutes

Planning Committee

Venue: Microsoft Teams - Remote
Date: Wednesday, 23 September 2020
Time: 2.00 pm

Present remotely via Teams: Councillor J Cattanach in the Chair

Councillors I Chilvers, R Packham, P Welch, M Topping, K Ellis, D Mackay and J Mackman (Vice-Chair)

Officers Present remotely via Teams: Martin Grainger – Head of Planning, Ruth Hardingham – Planning Development Manager, Glenn Sharpe – Solicitor, Rebecca Leggott – Senior Planning Officer, Jenny Tyreman – Senior Planning Officer, Victoria Foreman – Democratic Services Officer

26 APOLOGIES FOR ABSENCE

There were no apologies for absence.

27 DISCLOSURES OF INTEREST

Councillor K Ellis declared a non-pecuniary interest in agenda item 5.1 – 2019/0110/COU – Far Farm, Mill Lane, Ryther as he knew the applicant well, and as such would leave the meeting and not take any part in the debate for this item.

All Committee members declared a non-pecuniary interest in agenda item 5.1 – 2020/0828/S73 - Quarry Drop, Westfield Lane, South Milford as they had received a number of additional representations in relation to the application.

28 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair announced that an Officer Update Note had been circulated and that the business would be taken in the order as set out on the agenda.

The Committee were also informed that an audio and video recording of the meeting would be made during consideration of agenda item 5.3 - 2020/0442/S73 - Post Office Store, 2 High Street, Cawood.

Lastly it was noted that details of any further representations received on the

applications would be given by the Officers in their presentations.

29 MINUTES

The Committee considered the minutes of the Planning Committee meetings held on 5 and 26 August 2020 and 2 September 2020.

RESOLVED:

To approve the minutes of the Planning Committee meetings held on 5 and 26 August 2020 and 2 September 2020 for signing by the Chairman.

30 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following applications.

30.1 2019/0110/COU - FAR FARM, MILL LANE, RYTHER

Councillor K Ellis left the meeting at this point.

Application: 2019/0110/COU

Location: Far Farm, Mill Lane, Ryther

Proposal: Proposed change of use of land and buildings to that of a wedding venue including the creation of a total of 15 bedrooms for wedding guests, erection of 2 No lychgates, formation of a car park, demolition of some existing buildings, and formation of extension to accommodate 5 bedrooms, common room and kitchen to be constructed following the demolition of the pole barn

The Senior Planning Officer presented the application which had been brought before Planning Committee due to the replacement of Condition 5, requiring the two dwellings within the redline boundary not to be sold off separately to the Planning Unit (Wedding Venue), with a planning condition relating to noise levels. This was in order to resolve issues relating to impacts on residential amenity and in order to remove the requirement for a Unilateral Undertaking.

The Committee noted that the application was for the proposed change of use of land and buildings to that of a wedding venue including the creation of a total of 15 bedrooms for wedding guests, erection of 2 No lychgates, formation of a car park, demolition of some existing buildings, and formation of extension to accommodate 5 bedrooms, common room and kitchen to be constructed following the demolition of the pole barn.

In response to a question from Members, the Senior

Planning Officer confirmed that the installation of acoustic fencing was not deemed to be necessary as noise levels had been conditioned appropriately.

It was proposed and seconded that the application be approved subject to conditions; a vote was taken on the proposal and was carried.

RESOLVED:

To APPROVE the application subject to the conditions set out at paragraph 7 of the report.

30.2 2020/0264/FUL - ST MARKS SQUARE, NEW LANE, SELBY

Councillor K Ellis re-joined the meeting at this point.

Application: 2020/0264/FUL

Location: St Marks Square, New Lane, Selby

Proposal: Change of use of land into a community garden

The Senior Planning Officer presented the application which had been brought before Planning Committee as Selby District Council was the landowner.

The Committee noted that the application was for the change of use of land into a community garden.

Members queried if any surveys were required to protect the existing trees on the site during the works that would be undertaken; Officers confirmed that the planned works were not expected to have any significant impact on the trees and as such, no surveys or protections had been recommended. The Committee noted that the paths would all be made from wood chippings and no hard paving was planned.

Officers confirmed they were content that the site would be maintained and managed once it had been turned into a community garden.

Overall, the Committee supported the application as it would improve a piece of land that was currently overgrown and neglected.

It was proposed and seconded that the application be granted subject to conditions; a vote was taken on the proposal and was carried.

RESOLVED:

To GRANT the application subject to the conditions set out at paragraph 7 of the report.

30.3 2020/0442/S73 - POST OFFICE STORE, 2 HIGH STREET, CAWOOD

Application: 2020/0442/S73

Location: Post Office Store, 2 High Street, Cawood

Proposal: Section 73 to vary conditions 02 (opening hours), 03 (extraction) & 04 (plans) of approval 2015/1230/RTR Prior approval for the change of use from use class A1 (Retail) to both A1 (Retail) and A3 (Cafe) uses

The Senior Planning Officer presented the application which had been brought before Planning Committee as it was a minor application where 10 or more letters of representation had been received which raised material planning considerations, and where Officers would otherwise determine the application contrary to these representations.

The Committee noted that the application was for a Section 73 to vary conditions 02 (opening hours), 03 (extraction) & 04 (plans) of approval 2015/1230/RTR Prior approval for the change of use from use class A1 (Retail) to both A1 (Retail) and A3 (Cafe) uses.

An Officer Update Note had been circulated to Members and made available on the Council's website which explained that a number of comments had been received since publication of the report. Concerns had been raised about the use of the access to the rear of the Post Office, noise, odour and the impact on the mental health of occupants of neighbouring properties; however, Officers confirmed that this additional information did not alter the assessment that had been made.

Members asked questions on several matters, including the views of the Parish Council and Conservation Officer about the scheme, the number of representations received from outside of Cawood village, and the wording in Condition 2.

Officers explained that the Parish Council had initially objected to the scheme but had also sent a letter of support; as such, both sets of comments had been taken

into consideration.

The Committee acknowledged that the wording of the Conservation Officer's comments had raised concerns but were not considered to be strong objections to the scheme. With regards to the number of letters of support that had been received, Members noted that the majority had been from addresses within Cawood and a handful from outside of the village.

Officers confirmed that the main business at the application site was a Post Office, but that the cooking of food was becoming an integral business activity, and as such, the wording of Condition 2 was felt to be appropriate. However, Members agreed that Condition 2 should be amended to reflect the fact that the applicants should install the appropriate equipment before implementing the permission.

It was agreed that such changes to the wording of Condition 2 should be delegated to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.

It was therefore proposed and seconded that the application be granted subject to the conditions set out in the report and subject to the rewording of Condition 2, as delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Committee. A vote was taken on the proposal and was carried.

RESOLVED:

To GRANT the application subject to the conditions set out at paragraph 7 of the report and the rewording of Condition 2, which was to be delegated to the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee.

30.4 2020/0828/S73 - QUARRY DROP, WESTFIELD LANE, SOUTH MILFORD

Application: 2020/0828/S73

Location: Quarry Drop, Westfield Lane, South Milford

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

The Senior Planning Officer presented the application

which had been brought before Planning Committee as the application was a minor application where 10 or more letters of representation had been received which raised material planning considerations, and where Officers would otherwise determine the application contrary to these representations.

The Committee noted that it was a 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.

An Officer Update Note had been circulated to Members and made available on the Council's website which explained that since the report had been written, fifteen letters of support had been received in respect of the application (eight from residents of South Milford, one from a resident of Sherburn in Elmet and six from people of unknown addresses). The letters of support set out that the proposed amendments to the application had no adverse impact on the residential amenities of the neighbouring properties beyond the original permission, and that the resultant dwelling would have an acceptable design and appearance, in keeping with the local area, which would result in no adverse impact on the character and appearance of the area beyond the original permission. The rationale for the amendments were sound and the family were working hard to build the dwelling under difficult circumstances.

The applicant had submitted written representations in response to objector comments and covered a number of points including reasons for the delays in build time, which had been due to land ownership issues, site hoarding along the Westfield Lane boundary and having to re-apply for planning permission and a Certificate of Lawfulness. The applicant also advised that they would be willing to accept a condition to limit the time to complete the development. Officers explained to the Committee that such a condition would not meet the required six tests and was not reasonable or enforceable. This had been confirmed by an Inspector under the appeal relating to planning permission reference 2018/0800/FUL.

The applicant also stated that even though the site was located within Flood Zone 1, it had flooded before, and therefore the applicant would like to move the bedroom from the ground floor.

The applicant went on to explain that the number of reported breaches of planning control were not as high as stated by the objectors, and many of these related to working hours, and that they had worked with the Council on the working hours condition to ensure it was appropriate.

Lastly, the Committee were informed that vehicles parked on High Street were not material to the application, and that the application had given objectors an opportunity to raise this as a general issue.

Members considered the application and expressed some concerns around the increase in height of the building, and suggested that street scenes and further images be presented to the Committee before a decision was taken, as well as a comparison with the original permission.

Officers confirmed that such a comparison would be possible and that this information could be brought back to the Committee at a later date. However, some Members felt that there was enough information before them to take a decision and that the Committee should do so.

Officers shared some further images and plans that compared the application under discussion and the permission granted in 2010. The Committee considered the images with some Members feeling that the increase in height changed the character and scale of the building significantly, and that there were a number of other issues that required further clarity.

Officers explained that as an organised group site visit was not currently possible due to the Covid-19 pandemic, Officers could instead bring the application back to Members with further images and information to inform their decision.

Members considered this and agreed that the application should be deferred in order for more visuals to be gathered by Officers and brought back to the Committee at a future meeting. Members were also reminded that they could visit the site on an individual basis if they so wished.

It was proposed and seconded that the application be deferred in order for more visuals and information to be gathered and presented back to the Committee. A vote

was taken on the proposal to defer and was carried.

RESOLVED:

To DEFER consideration of the application in order for Officers to gather further visual information, and that this information be presented to the Committee again at a subsequent meeting.

The meeting closed at 3.50 pm.

Planning Committee – Remote Meetings

Guidance on the conduct of business for planning applications and other planning proposals

1. The reports are taken in the order of business on the agenda, unless varied by the Chairman. The Chairman may amend the order of business to take applications with people registered to speak, first, so that they are not waiting. If the order of business is going to be amended, the Chairman will announce this at the beginning of the meeting.
2. There is usually an officer update note which updates the Committee on any developments relating to an application on the agenda between the publication of the agenda and the committee meeting. Copies of this update will be published on the Council's website alongside the agenda.
3. You can contact the Planning Committee members directly. All contact details of the committee members are available on the relevant pages of the Council's website:

<https://democracy.selby.gov.uk/mgCommitteeMailingList.aspx?ID=135>

4. Each application will begin with the respective Planning Officer presenting the report including details about the location of the application, outlining the officer recommendations, giving an update on any additional representations that have been received and answering any queries raised by members of the committee on the content of the report.
5. The next part is the remote public speaking process at the committee. The following may address the committee for **not more than 5 minutes each, remotely**:
 - (a) The objector
 - (b) A representative of the relevant parish council
 - (c) A ward member
 - (d) The applicant, agent or their representative.

NOTE: Persons wishing to speak remotely on an application to be considered by the Planning Committee should have registered to speak with Democratic Service (contact details below) **by no later than 3pm on the Monday before the Committee meeting (this will be amended to the Tuesday if the deadline falls on a bank holiday). They must also submit a copy of what they will be saying by the same deadline.** This is so that if there are technical issues and speakers can't access the meeting, their representation can be read out on their behalf (for the allotted five minutes).

6. Persons wishing to speak will be able to access the meeting by joining the link to the Microsoft Teams meeting which will be supplied to them by Democratic Services. They will be admitted to a lobby where they will wait until they are

brought into the actual meeting when it is time to speak. Whilst waiting they can continue to watch the live stream of the meeting as it takes place via YouTube.

7. Once they have been admitted to the meeting, they will be given the five minutes in which to make their representations, timed by Democratic Services. Once they have spoken, they will be asked to leave the meeting/will be removed from the meeting. The opportunity to speak is not an opportunity to take part in the debate of the committee.
8. If there are technical issues and speakers are unable to access the meeting, their representation will be read out on their behalf for the allotted five minutes.
9. Each speaker should restrict their comments to the relevant planning aspects of the proposal and should avoid repeating what has already been stated in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
10. The members of the committee will then debate the application, consider the recommendations and then make a decision on the application.
11. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework and the Council's planning code of conduct.
12. For the committee to make a decision, the members of the committee must propose and second a proposal (e.g. approve, refuse etc.) with valid planning reasons and this will then be voted upon by the Committee. Sometimes the Committee may vote on two proposals if they have both been proposed and seconded (e.g. one to approve and one to refuse). The Chairman will ensure voting takes place on one proposal at a time.
13. This is a council committee meeting which is viewable online as a remote meeting to the public.
14. Selby District Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform Democratic Services of their intentions prior to the meeting on democraticservices@selby.gov.uk
15. The arrangements at the meeting may be varied at the discretion of the Chairman.
16. Written representations on planning applications can also be made in advance of the meeting and submitted to planningcomments@selby.gov.uk. All such representations will be made available for public inspection on the Council's Planning Public Access System and/or be reported in summary to the Planning Committee prior to a decision being made.
17. The Remote Meetings Regulations provide flexibility in light of the Covid-19 pandemic, and allow meetings to be moved, called or cancelled without

further notice. For this reason, the public are encouraged to check the Council's website in case changes have had to be made at short notice. If in doubt, please contact either the Planning Department on planningcomments@selby.gov.uk or Democratic Services on democraticservices@selby.gov.uk for clarification.

18. A provisional Calendar of Meetings is operating, with Planning Committees usually sitting on a Wednesday every 4 weeks. However, this may change depending upon the volume of business as we emerge from lockdown. Please check the meetings calendar using this link for the most up to date meeting details:

<https://democracy.selby.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

19. To view the meeting online, find the relevant meeting from the list of forthcoming Remote Planning Committee meetings. The list of forthcoming meetings is here:

<https://democracy.selby.gov.uk/ieListMeetings.aspx?CommitteeId=135>

Find the meeting date you want and click on it. This will take you to the specific meeting page. Under the section on the page called 'Media' is the link to view the online meeting – click on this link.

20. Please note that the Meetings are streamed live to meet with the legal requirement to be "public" but are not being recorded as a matter of course for future viewing. In the event a meeting is being recorded the Chair will inform viewers.

21. These procedures are being regularly reviewed as we start to operate in this way.

Contact: Democratic Services

Email: democraticservices@selby.gov.uk

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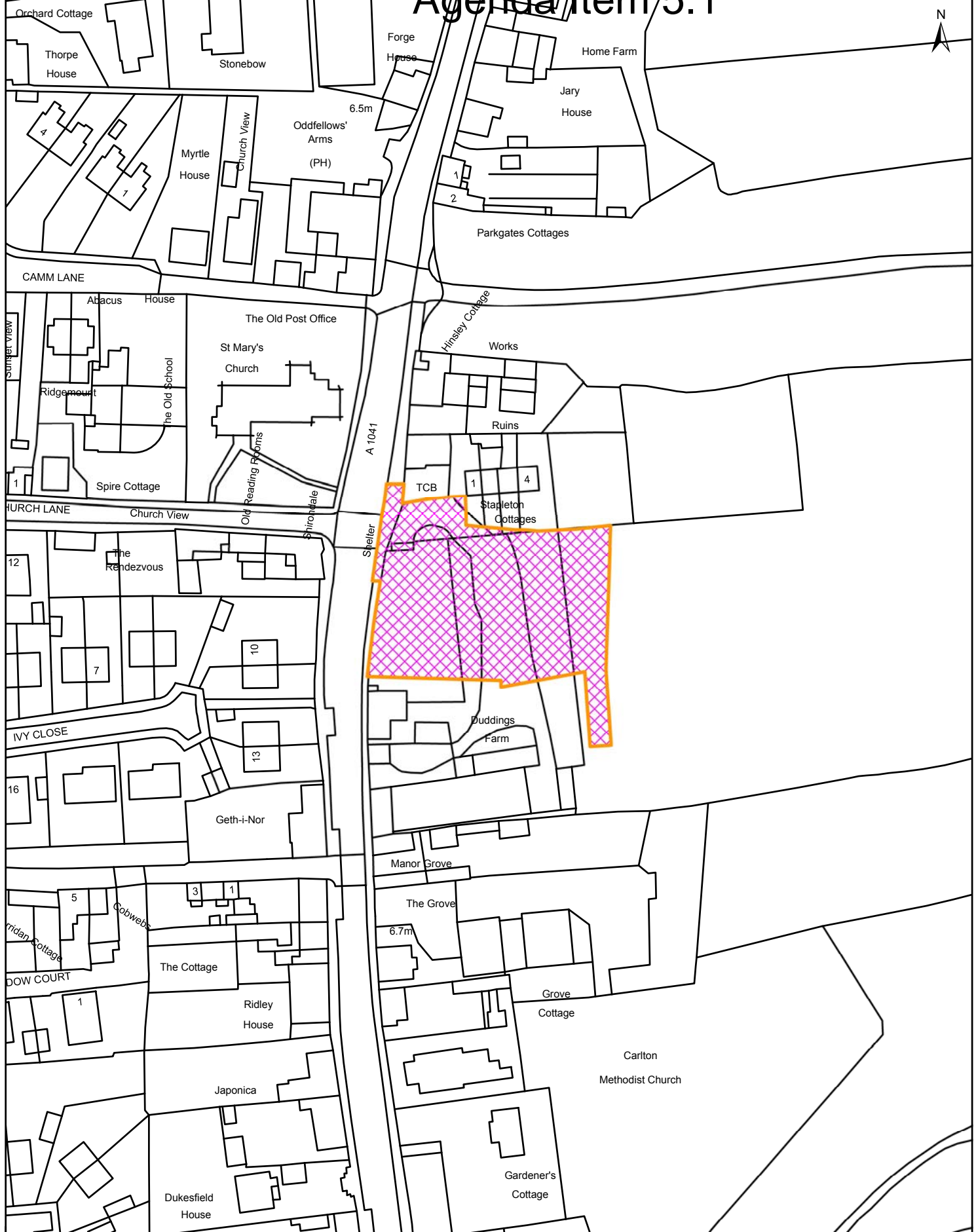
Agenda Item 5

Items for Planning Committee

7 October 2020

Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2019/1020/FUL	Land Adjacent Duddings Farm, High Street, Carlton	Proposed erection of a new single storey retail unit consisting of sales area approximately 280 square metres under the use class A1 and back of house area approximately 103 square metres, along with the associated hard and soft landscaping within the site boundary	CHFA	15-40
5.2	2020/0218/FUL	Model Farm, Broad Lane, Cawood	Proposed change of use from agricultural storage to depot for the Selby Area Internal Drainage Board and siting of modular site office/changing room	RELE	41-56
5.3	2020/0485/HPA	29 Broad Lane, Cawood, Selby	Alterations to roof of existing garage to provide additional living accommodation and single storey extension to rear	BEHA	57-70
5.4	2020/0800/HPA	89 Doncaster Road, Selby	Rear single-storey extension for kitchen/family room extension	JACR	71-80

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APPLICATION SITE

Land adjacent to Duddings Farm, High Street, Carlton
2019/1020/FUL

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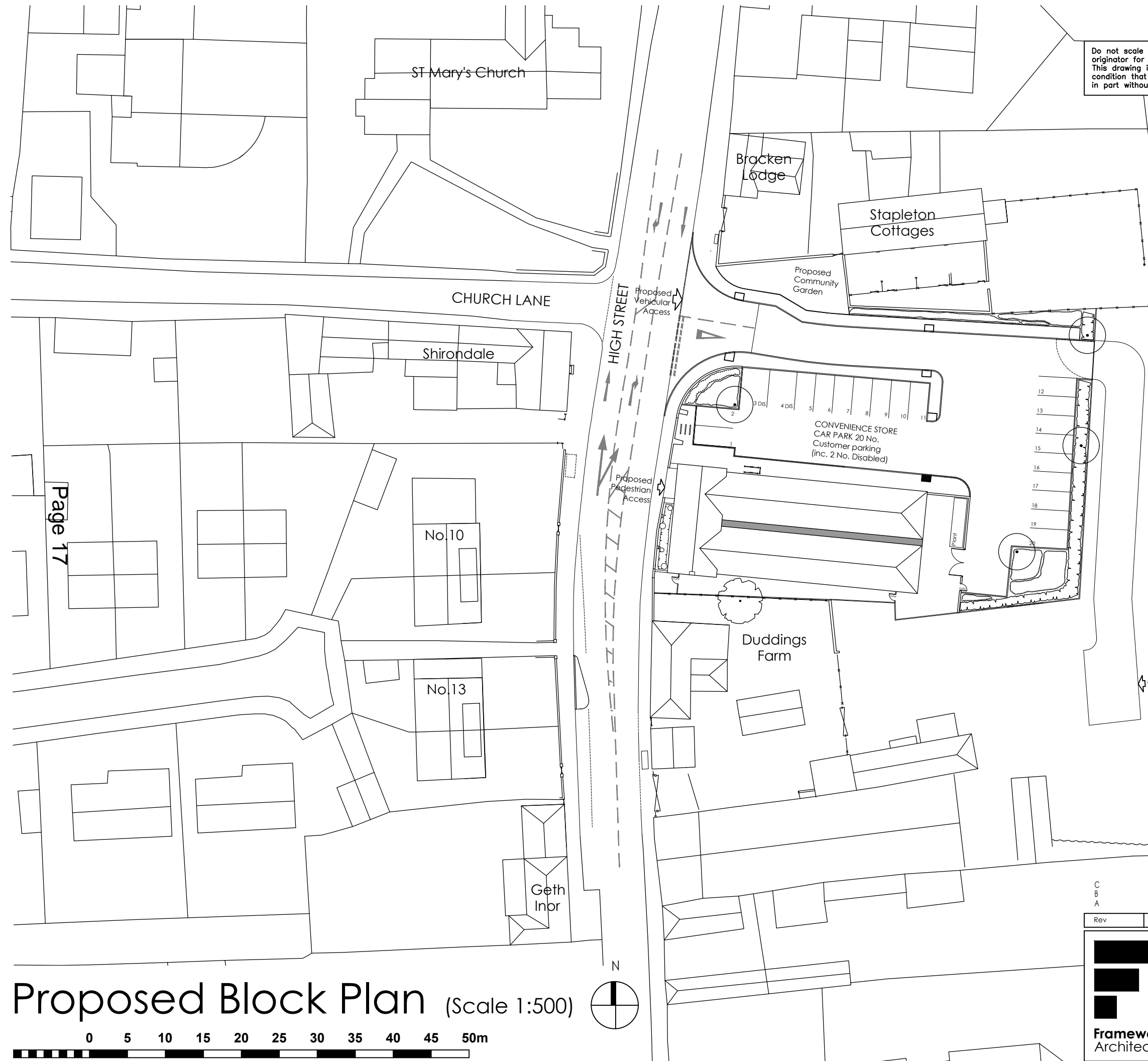
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**AMENDED
DRAWING**

PLANNING ISSUE

C	UPDATED FOLLOWING COMMENTS FROM PLANNING OFFICER	21.09.20	ig
B	UPDATED FOLLOWING COMMENTS FROM URBAN DESIGN & CONSERVATION OFFICERS	22.05.20	SW
A	PLANNING ISSUE	24.09.19	SW

Rev	Revision note	Date	Drawn by
	PROPOSED CONVENIENCE STORE AT HIGH STREET, CARLTON FOR LINCOLNSHIRE CO-OPERATIVE		
	Drawn by SW	Checked	Date AUG 19
	Scale 1:500@A3		
	PROPOSED BLOCK PLAN	Dwg No J1918 - 00103	Rev C

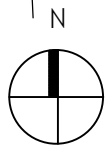


Page 17

Proposed Block Plan (Scale 1:500)



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Report Reference Number: 2019/1020/FUL

To: Planning Committee
Date: 7 October 2020
Author: Chris Fairchild
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2019/1020/FUL	PARISH:	Carlton Parish Council
APPLICANT:	Lincolnshire Co-operative Limited	VALID DATE: EXPIRY DATE:	3rd October 2019 28th November 2019
PROPOSAL:	Proposed erection of a new single storey retail unit consisting of sales area approximately 280 square metres under the use class A1 and back of house area approximately 103 square metres, along with the associated hard and soft landscaping within the site boundary		
LOCATION:	Land Adjacent Duddings Farm High Street Carlton Goole East Yorkshire		
RECOMMENDATION:	GRANT		

This application has been brought before the Planning Committee as the proposal is contrary to the requirements of the development plan (namely S4 of the Selby District Local Plan) but it is considered that there are material considerations which would justify approval of the application.

1. INTRODUCTION AND BACKGROUND

- 1.1. Planning permission is sought for the erection of a new food retail unit submitted by the proposed operators of the store, Lincolnshire Co-operative Limited.
- 1.2. Lincolnshire Co-operative are a regional co-operative society, based in Lincolnshire and surrounding counties that operates 90 food stores as well as pharmacies, funeral homes, florists, travel branches and post offices, not to be confused with The Co-operative Group who are a national co-operative.

The Proposal

- 1.3. The proposal will infill a gap along Carlton High Street that currently consists of a cleared parcel of land between Home Farm and the Little Black Dog Brewery to the south and Stapleton Cottages to the north.
- 1.4. Access to the site will be achieved via the existing point on High Street opposite Church Lane albeit this will be modified to adoptable standards appropriate for the increased use. 20 car parking spaces are proposed to serve the retail store. It is proposed that the southbound bus stop will be relocated to opposite No.11 High Street and will be fitted with raised kerbs at the boarding area. Modified access to the Little Black Dog Brewery is proposed to the rear of the site.
- 1.5. The store will consist of a new single storey retail unit with a shop floor of approximately 280m² and a further back of house area of approximately 103m². along with the associated hard and soft landscaping including a community garden.

Relevant Planning History

- 1.6. The following historical application is considered to be relevant to the determination of this application:

Ref: 2017/0306/COU

Description: Change of use of buildings from agricultural to Part B2, forming a micro-brewery and a small staff/storage area and Part A1 forming a shop for the sale of brewery products

Address: Duddings Farm, High Street, Carlton, Goole, East Yorkshire, DN14 9LU

Decision: Approved 31-AUG-17

2. CONSULTATION AND PUBLICITY

Urban Design

March 2020

- 2.1. The scale and orientation of the buildings are appropriate within the site's context. However, the form and character of the proposed buildings are fundamentally at odds with the prevailing character of the area.
- 2.2. The Urban Design Officer sets out the context of the village before evaluating the scheme, noting the High Street comprises two-story, brick built, back-of-pavement dwellings, shops and pubs, with associated private outdoor spaces also delineated by brick wall boundary treatments running flush with building frontages, effectively carrying on the building lines, which in turn provide a consistent width to footpath dimensions.
- 2.3. Where this pattern is broken, it is mostly for lower scale buildings which recall the working or agricultural past of the village (often with blank gables directly fronting the street), or by singular buildings with a civic role (churches). Where retail exists, it has successfully adapted itself to the predominant traditional form of buildings in the village (Carlton Supermarket, for example), and according to the Carlton Village Design Statement a number of the residential properties along High Street once accommodated shops as well.

- 2.4. Following an establishment of context, the Urban Design Officer raises a series of questions to the applicants, concerning the following matters: (1) the proposed frontage building appear to take its inspiration from the atypical 1960s buildings opposite, rather than the overarching character of the High Street (2) whether the existing wall need to be lowered along its length, or merely at those points necessary to provide visibility for drivers (3) whether an external cut through the corner of the building, rather than enclosing this as an anteroom within the building itself is required (4) use of large, square openings/windows in front elevation and , their intended function i.e. whether this will result in additional signage and advertising rather than potentially perishable goods. Openings of this size will also have implications for energy use.
- 2.5. The Urban Design Officer goes on to set out expectations from a design perspective that the development should respond to with a view that the proposals demonstrate a better understanding and use of the organising principles which have generated the prevailing, positive character of Carlton High Street.

April 2020

- 2.6. Following revisions to the scheme, the Urban Design Officer was reconsulted and considered positive changes had been shown whilst listing specific outstanding matters including: the boundary wall, entrance, elevations, and materials.
- 2.7. Whilst the retention of the boundary wall was welcomed it was considered that this may be difficult to maintain in such proximity to the elevation, as well as resulting in other issues with detailing. Two potential solutions were offered: remove the section of wall or move the building back further into the site.
- 2.8. The proposed Queen post truss gable feature above the entrance from the car park was considered without precedent in Carlton and appears a device used by the architects previously, and imported into their current designs from elsewhere, an approach which the officer was unable to support. A more sympathetic treatment could be the introduction of pierced brickwork instead, with an interpretation that recalls the vernacular of agricultural buildings in Selby district, whilst accommodating proposed signage as well.
- 2.9. The Urban Design Officer questioned why the elevations appear unusually high up to the line of the eaves.
- 2.10. Windows and fenestration appear much more classically proportioned, which helps it sit more comfortably within the street scene, and the taller elevations help to indicate a different use for the building from surrounding residential properties.
- 2.11. Window details and materials should be conditioned, so that proposed differences in colours and finishes can be properly evaluated. Final drawings will need to identify the location of downpipes.

Local Highway Authority

- 2.12. The Local Highway Authority requested clarification of parking bay widths before offering further comments.
- 2.13. Following re-consultation, Highways noted the extensive pre-application discussions that had been undertaken and agreement of the design by both by the Area Office and the Traffic Team at NYCC during those discussions.
- 2.14. No objections were raised subject to a range of suggested conditions requiring: (1) access to be improved prior to occupation, (2) licence to carry out works in highway, (3) visibility splays, (4) completion of off-site highway works, (5) requirement of s278 agreement, (6) construction management plan.

Parish Council

- 2.15. The Parish Council note they had been seeking improvements to the bus stop and considered the relocation to be placed on an unsuitable section of path which will be inconvenient and dangerous. A condition is suggested restricting the display of adverts attached to windows.
- 2.16. Following re-consultation, the Parish Council are concerned that the position of the bus stop has been omitted [see above] and seek clarification and re-consultation once this has been established. A series of conditions are suggested: (1) restriction on display of adverts attached to windows, (2) delivery hour restrictions, (3) restriction on off-site parking.

Yorkshire Water

- 2.17. Yorkshire Water suggested the following conditions: (1) The site shall be developed with separate systems of drainage for foul and surface water on and off site, (2) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- 2.18. Following re-consultation, Yorkshire Water confirmed they had no further comments to make beyond those made previously.

Environmental Health

- 2.19. Environmental Health confirmed they had no objection to the proposal.

Internal Drainage Board (IDB)

- 2.20. The IDB set out their guidelines for surface water discharge and noted that should consent be required from the IDB then it is advised this should be made a condition of any planning decision.

Archaeologist

- 2.21. The proposal sits within the historic medieval settlement of Carlton. The site is typical in medieval character. The site has high potential for medieval remains, as such a pre-commencement condition is recommended requiring a Written Scheme of Investigation to take place.

- 2.22. Following re-consultation, the Principal Archaeologist confirmed they had no further comments to make beyond those made previously.

Contaminated Land

- 2.23. The Contaminated Land Officer confirmed that the report and the site investigation works undertaken (Phase I & II) were acceptable, although a condition requiring unexpected contamination to be reported, remediated and remediation verified was recommended.
- 2.24. Following re-consultation, the Contaminated Land Officer confirmed they had no further comments to make beyond those made previously.

Natural England

- 2.25. Natural England confirmed they had no objection to the proposals.
- 2.26. Following re-consultation, Natural England confirmed they had no further comments to make beyond those made previously i.e. no objection.

County Ecologist

- 2.27. The County Ecologist considers there to be minimal ecological value at the site and no survey was required. The proposal to plant a hedge along the eastern and southern boundary of the car park; this should be of mixed native shrub species such as hawthorn, blackthorn, field maple and holly.
- 2.28. Following re-consultation, the County Ecologist confirmed they had no further comments to make beyond those made previously, although considered it would be “helpful” to know the species composition of the hedge which is proposed to be planted along the eastern and southern boundary of the site.

Conservation Officer

- 2.29. The Heritage Impact Assessment has content but fails to identify the significance of nearby designated heritage assets and does not identify any non-designated heritage assets or assess archaeological remains. It also does not identify setting or whether the site contributes to the setting of any nearby heritage assets. There is no mention of the NPPF in the report and no assessment of the impact of the development upon the significance. For a development which has the potential to alter the appearance and character of Carlton, there should be a more thorough assessment to ensure that development has been designed to minimise harm upon designated heritage assets.
- 2.30. The existing boundary wall is not being retained and the design of the new development does not appear to have taken any influence from the local vernacular architecture or nearby historic buildings. There is a small section in the D&A which mentions orientation of the building relating to surrounding buildings, however this approach is not consistent with the history of this site. Historic maps show buildings on the site being set back from the road, with a boundary wall being maintained along the road frontage. The brick wall not only maintains a built structure to the back of the pavement but it also reduces visibility of a potential car park and bulky building which is required for a shop such as this.

2.31. At present, the development fails to sustain the significance of designated heritage assets. The Heritage Impact Assessment and the development does not meet the requirements of the NPPF, section 16. The significance of assets has not been identified, the impact upon the significance has not been identified and the development would cause harm to the significance of designated heritage assets due to its design.

2.32. Following re-consultation, no further comments were received.

North Yorkshire Bat Group

2.33. No comments were received following consultation.

Yorkshire Wildlife Trust

2.34. No comments were received following consultation.

The Environment Agency (Liaison Officer)

2.35. No comments were received following consultation.

Waste and Recycling Officer

2.36. No comments were received following consultation.

Development Policy

2.37. No comments were received following consultation.

Publicity

2.38. The application was advertised via erection of a site notice, letters to adjoining properties, and press advertisement. Following this consultation, three individuals responded in objection, a summary of their concerns is as follows:

- Road signage should be included to avoid conflict with neighbouring properties using their driveways – without this there is a danger of accidents.
- Concerns with the general public, including older people, accessing the site without a crossing.
- The scheme should be inclusive and enable access to all members of the community regardless of ableness.
- Disappointment no direct consultation letter received.
- The proposals could lead to traffic chaos or worse an accident. Request that the Local Highway Authority confirm there will be measures in place to prevent this.
- The boundary wall whilst in disrepair is in keeping with the history of the village, it would be detrimental for this to be removed and its preservation is sought.

3. SITE CONSTRAINTS

Constraints

- 3.1. The site is located partly within and partly outside the development limits of Carlton.
- 3.2. There are no listed buildings on the site, although the Grade II listed Church of St Mary lies to the northwest, whilst the Grade I Carlton Towers lies to the east. The grounds of Carlton Towers are designated within the Development Plan as a Historic Park and Garden.
- 3.3. There are no designated features of environmental protection on or near the site, although the site is noted as a source of potential contamination arising from its agricultural past.
- 3.4. The site is within Flood Zone 1, the area at lowest risk of flooding.

4. POLICY CONSIDERATIONS

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.
- 4.2. The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3. On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options took place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.
- 4.4. The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.
- 4.5. Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework:

"213.existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

Selby District Core Strategy Local Plan (CS)

- 4.6. The relevant CS Policies are:

- SP1 Presumption in Favour of Sustainable Development
- SP2 Spatial Development Strategy
- SP13 Scale and Distribution of Economic Growth
- SP14 Town Centres and Local Services

Selby District Local Plan (SDLP)

4.7. The relevant SDLP are:

- ENV1 Control of Development
- ENV2 Environmental Pollution and Contaminated Land
- ENV25 Control of Development in Conservation Areas
- S3 Local Shops
- S4 Retail Development in the Countryside
- T1 Development in Relation to the Highway network
- T2 Access to Roads

5. APPRAISAL

5.1. The main issues to be taken into account when assessing this application are:

1. Principle of Development
2. Heritage and Conservation
3. Design, Landscape and Character
4. Highways and Access
5. Ground Conditions
6. Residential Amenity
7. Nature and Conservation
8. Flood Risk & Drainage

Principle of Development

Context

- 5.2. CS Policy SP1 of the Core Strategy outlines that "*when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework*" and sets out how this will be undertaken. CS Policy SP1 is therefore consistent with the guidance in Paragraph 11 of the NPPF.
- 5.3. The majority of the site, including the entirety of the shop itself sits within the development boundaries of Carlton. An area to the rear of the site, including a small section of the car park, landscaping and the amended access to the micro-brewery sit outside the development limits. In such circumstances, the principle of development should be assessed on the basis that the site is outside of settlement boundaries and therefore within the open countryside.
- 5.4. CS Policy SP2A sets out the District's settlement hierarchy and directs the majority of new development to towns and more sustainable villages depending on their future role as employment, retail and service centres. CS Policy SP2A(c) permits well-designed new buildings of an appropriate scale in the countryside which would contribute to and improve the local economy and where it will enhance or maintain the vitality of rural communities in accordance with CS Policy SP13.

5.5. CS Policy SP13C supports sustainable development that brings sustainable economic growth through local employment opportunities and sets out examples of the forms of development that achieve the policy requirement. One example includes supporting development and expansion of local services and facilities in accordance with Policy SP14.

5.6. CS Policy SP14 provides the District's retail hierarchy. The site is outside of any defined Town Centre, however policy allows for "*local shops and services*" outside established Town Centres including:

"...establishment of new facilities to serve the day-to-day needs of existing communities and the planned growth of communities."

5.7. SDLP Policy S4 relates to retail uses outside of both defined Town Centres and development limits and sets out criteria where such development is appropriate:

1. *"The proposal is ancillary to an existing use; or*
2. *It would secure the preservation of a building of architectural or historic importance; or*
3. *There is a demonstrable need for the particular outlet in the locality (including facilities related to tourism).*

and provided that:

- i) The scale of provision would be appropriate to the locality;*
- ii) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and*
- iii) The proposal would not have a significant adverse effect on the character and appearance of the countryside."*

Assessment

5.8. The Core Strategy sets out a clear sequence of policies in establishing whether a retail unit within the countryside is permissible. CS Policy SP2 allows new buildings in the countryside where these comply with CS Policy SP13. CS Policy SP13 allows such development where it accords with CS Policy SP14. Finally, CS Policy SP14 permits new facilities to serve the day-to-day needs of existing communities and the planned growth of communities.

5.9. On the other hand, the relevant policies within the SDLP are somewhat more onerous than those within the CS. In the case of SDLP Policy S4, criterion 3 requires a "*demonstrable need*" for such a use in order to be permissible. The proposal does not meet this criterion and is therefore contrary to the requirements of the development plan in this regard.

5.10. However, it has been established through national policy (and the CS) and subsequent appeal precedent and case law that a demonstrable retail need is not a material consideration as to whether retail development is permissible. On balance, Officers consider that limited weight should be applied to SDLP Policy S4(3) and that the policy requirements within the Core Strategy are more appropriate as a basis to determine this application and outweigh the SDLP approach.

- 5.11. CS Policy SP14 sets out that new retail development is permissible where new facilities to serve the day-to-day needs of existing communities. The applicants were asked to provide a response to this matter and did so as follows:

“The village of Carlton has a recorded population of 1,934 in the 2011 census. It is currently underserved for grocery convenience space with residents having to travel to Selby or the limited convenience facilities in Snaith. The opening of this convenience store will provide an additional facility to encourage residents of Carlton to stay and shop locally. We know from operating other stores in similar sized villages that customers really like our store offer, it is our intention to provide this local need for the residents of Carlton.”

- 5.12. Officers consider that the scale of the proposed store is proportionate to those catering for “top-up shopping” and the store would support the day-to-day needs of residents without representing over-provision that would cause a detrimental impact upon other stores that are within Town Centres or are more sequentially preferable. It is notable that there is a limit of such provision. As such the proposal accords with CS Policy SP14 and is acceptable.

Heritage and Conservation

Context

- 5.13. Relevant development plan policy includes: CS Policy SP18, CS Policy SP19(b), SDLP Policy ENV1(5), and SDLP Policy ENV25. These policies require conservation of historic assets which contribute most to the District’s character, and ensure development contributes positively to an area’s identity and heritage in terms of scale, density, and layout.
- 5.14. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (‘the Act’) imposes a statutory duty upon decision makers to pay special regard to the desirability of preserving listed buildings and their setting, or any features of special architectural or historic interest that they possess.
- 5.15. NPPF Paragraph 193 requires great weight be given to the asset’s conservation. The more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (Paragraph 194). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (Paragraph 196). Paragraph 197 requires the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application.

Assessment

- 5.16. The Conservation Officer noted several concerns with the submitted Heritage Impact Assessment and requested a more thorough assessment to ensure that development has been designed to minimise harm upon designated heritage assets. In terms of the actual scheme, the Conservation Officer noted concerns with the boundary wall and how the building responds to the built vernacular.

- 5.17. The applicants provided a rebuttal to the Conservation Officer's comments which provided greater detail of the site's relationship with surrounding heritage assets. Whilst the Conservation Officer did not consider this adequately addressed their concerns, Officers considered it provided a sufficient basis for assessing the scheme's impacts.
- 5.18. The applicants have put effort into achieving a design that seeks to reflect the built environment around it whilst still seeking to achieve a modern retail store that provides for their operational requirements. The result is a scheme that will result in less than substantial harm to the setting of listed buildings and that of non-designated heritage assets and any such harm is outweighed by the public benefits arising from the proposal, namely the provision of a retail outlet to meet Carlton residents' day-to-day need supporting the sustainability of the settlement and reducing the need to travel by car.

Design, Landscape and Character

Context

- 5.19. CS Policy SP18 seeks to safeguard and, where possible, enhance the historic and natural environment. CS Policy SP19 expects development to achieve high quality design and have regard to the local character, identity and context of its surroundings including the open countryside.
- 5.20. Selby District Local Plan ENV1 requires (1) the effect of the character of an area, and; (4) the standard of layout, design and materials in relation to the site and its surroundings and associated landscaping to be taken into account.

Assessment

- 5.21. The proposals have been subject to pre-application discussions and have evolved during the determination of this application in response to Officers' requests. The result is that the majority of the brick wall fronting High Street has now been retained whilst maintaining the building line, and the detailing of the elevations modified.
- 5.22. The site extends beyond the settlement boundaries and will infringe upon the open countryside. On balance, officers consider that the limited area of open countryside being utilised by the proposal limits the overall impacts and there will not be a significant adverse impact upon the character of the countryside as a result of the proposal.
- 5.23. The car park will be screened by the boundary wall and this will be supplemented by tree planting, hedges and ground cover/planting beds. Officers consider that this landscaping is proportionate to the proposal and welcome the addition of the community garden which will add to the landscaping as well as ancillary social and environmental benefits.
- 5.24. Officers consider that the proposals are suitable from a design, landscape and character perspective and the proposals therefore comply with CS Policies SP18 & 19 and SDLP Policy ENV1 subject to landscaping conditions requiring details of their implementation and maintenance.

Highways and Access

Context

- 5.25. SDLP Policy T1 stipulates development will only be permitted where existing roads have adequate capacity and can safely serve the development unless appropriate off-site highway improvements are undertaken by the developer.
- 5.26. SDLP Policy T2 only allows for a new access or the intensification of the use of an existing access will be permitted provided where (1) there would be no detriment to highway safety; and 2) the access can be created in a location and to a standard acceptable to the highway authority.
- 5.27. Paragraph 109 of the NPPF states that planning applications should only be refused where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Assessment

- 5.28. The proposals have been considered by the Local Highway Authority who have found the proposals to be acceptable from a highway safety perspective – subject to the inclusion of conditions. Officers have assessed the proposed conditions and consider some of these matters would not meet the tests for conditions but would be meaningful informatives and have been recommended as such.
- 5.29. In respect of on-site access considerations, the proposal will effectively remove the approved access for the Little Black Dog Brewery and field access for Home Farm. In order to maintain appropriate access to the brewery, following discussion with the landowners (Carlton Towers) and the Brewery themselves, a modified access that links into the top of the brewery's car park is proposed. Officers consider this approach would not prejudice the brewery, or Home Farm's access and will not conflict with the safety or efficacy of the shop's access.
- 5.30. Subject to the inclusion of Highway's recommendations the proposals are acceptable from a highway safety perspective and comply with SDLP Policies T1 & T2 and NPPF Paragraph 109.

Ground Conditions

Context

- 5.31. SDLP Policy ENV2A states development that would be affected by unacceptable levels of noise, nuisance, contamination, or other environmental pollution will be refused unless satisfactorily remediated or prevented. CS Policy SP19(k) seeks to prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water, light or noise pollution or land instability.
- 5.32. NPPF Paragraph 178 requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination, be remediated (where appropriate) to an appropriate standard and be subject to site investigation undertaken by competent persons.

Assessment

- 5.33. The Contaminated Land Officer is content with the findings of the submitted Phase I & Phase II Surveys and that further investigative works are not required. However a condition regarding the reporting of unexpected contamination is recommended. Officers consider that subject to inclusion of this condition the site is appropriate in relation to ground conditions and complies with CS Policy SP18 and NPPF Paragraph 178.

Residential Amenity

Context

- 5.34. SDLP Policy ENV1 provides eight broad aspirations for achieving 'good quality development' that should be taken into account where relevant. SDLP ENV1(1) requires "*the effect upon the character of the area or the amenity of adjoining occupiers*" to be taken into consideration.

Assessment

- 5.35. The proposed use will generate increased activity at the site consisting of, primarily, top-up shopping. In principle officers consider such activity is proportionate to the site's location on Main Street which runs through the village and where other similar uses already exist.
- 5.36. However, whilst the principle of such activity is appropriate, it would not be the case if left unrestricted. Officers therefore have recommended conditions limiting opening hours to avoid disturbance from movements by the general public, as well as deliveries to ensure that such activities take place within reasonable hours. The construction of the shop within proximity to residential properties also has the potential to harm amenity in the short-term and a construction management plan is recommended to avoid or minimise and mitigate any such disturbance.
- 5.37. Officers consider the proposals provide a suitable relationship with existing dwellings and, subject to conditions, will not harm residential amenity of residents. As such, the proposals comply with SDLP Policy ENV1.

Nature and Conservation

Context

- 5.38. Relevant policies in respect of nature conservation and protected species include CS Policy SP18 of the Core Strategy. CS Policy SP18 seeks to safeguard and, where possible, enhance the natural environment. This is achieved through effective stewardship by (inter-alia) safeguarding protected sites from inappropriate development, and ensuring development seeks to produce a net gain in biodiversity.
- 5.39. NPPF Paragraph 170(d) seeks that planning decisions contribute to and enhance the natural environment by minimising impacts and providing net gains for biodiversity.

Assessment

- 5.40. North Yorkshire County Council Ecology Officers have no concerns with the proposal. Officers agree and consider there to be no significant adverse impact upon nature conservation. Accordingly, the proposal complies with CS Policy SP18 and NPPF Paragraph 170(d).

Flood Risk & Drainage

Context

- 5.41. The site sits within Flood Zone 1, the area at lowest risk of flood risk. CS Policy SP15A(d) seeks to ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test (if necessary). This policy is in line with NPPF Paragraph 155 which seeks to direct development away from areas at highest risk.

Assessment

- 5.42. The site is within Flood Zone 1 and has a site area of less than 1ha, as such no flood risk assessment has been provided or is necessary. The proposals are located within the area of lowest risk and therefore comply with CS Policy SP15 and NPPF Paragraph 155.
- 5.43. The site will be served by soakaways for surface water and mains sewer for foul sewage. The submitted drainage strategy demonstrates that percolation tests have been undertaken to test the feasibility of soakaways and sets out a general strategy including storage and an allowance for climate change. Yorkshire Water have not opposed the proposed mains sewer connection.
- 5.44. Officers are satisfied with the general approach to drainage and, subject to appropriate conditions, are satisfied the site will be appropriately serviced for surface water and foul drainage.

6. CONCLUSION

- 6.1. Whilst the Core Strategy approach to the principle of development differs from that of the SDLP, namely SDLP Policy S4, Officers are satisfied that the weight afforded to this policy is sufficiently diminished as to be outweighed by the approach within the Core Strategy.
- 6.2. The principle of retail development outside defined Town Centres and development limits is permissible within the Core Strategy where this meets day-to-day needs of the community. Officers are satisfied that the shop will fulfil such a role and will not impact upon other retail uses in Centres or elsewhere.
- 6.3. Officers have considered the proposals against all material considerations that arise from the development. This report demonstrates that the proposals overcome each of these issues including by way of conditions where appropriate.

7. RECOMMENDATION

- 7.1. This application is recommended to be approved subject to the following conditions and informatives:

1. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

REASON:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the plans, drawings and documents listed below:

- Location Plan J1918 – 00101_rev.B
- Proposed block plan J1918 – 00103_rev.C
- Proposed Site Layout J1918 – 00104_rev.G
- Existing and Proposed Site Sections J1918 – 00105_Rev.B
- Proposed Plans J1918 – 00106_Rev.B
- Proposed Elevations J1918 – 00107_Rev.B
- Proposed Boundary Treatments J1918 – 00109_Rev.B
- Proposed Front Elevation Colour Study J1918 – 00111_Rev.A
- Proposed Side Elevation Colour Study J1918 – 00112_Rev.A

REASON:

For the avoidance of doubt.

3. Access from the highway to the approved car park of the adjacent Little Dog Brewery shall be constructed in accordance with the approved plans and as set out in accordance with the ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by the Local Highway Authority prior the commencement of any other development. Following construction of this access, and during construction of the remainder of the approved scheme, the access shall be kept clear at all times for vehicles visiting the Little Dog Brewery.

REASON:

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

4. The development must not be brought into use until the access to the site has been improved and been set out and constructed in accordance with the ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by the Local Highway Authority and the following requirements:

The existing access must be widened and formed with 10 metres radius kerbs, to give a minimum carriageway width of 6.5 metres, and that part of the access road extending 13 metres into the site must be constructed in accordance with Standard Detail number A2 and the following requirements.

- Any gates or barriers must be erected a minimum distance of 13 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- Provision should be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the specification of the Local Highway Authority.

- Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

REASON:

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

5. There must be no access or egress by any vehicles between the highway and the application site, other than those visiting the Little Black Dog Brewery, until splays are provided giving clear visibility of 43 metres measured to the centre line to the southern splay and 43 metres to the channel line to the north of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.9 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON:

In the interests of highway safety.

6. The following schemes of off-site highway mitigation measures must be completed as indicated below:
 - The installation of a staggered ghost island junction adjacent to the site on High Street before commencement on site. To include the realignment of the existing right-hand turn lane into Church Lane, realignment of the buildout on High Street and the removal of the existing road markings.
 - The relocation of the existing bus stop at the proposed access including the installation of Kassel Kerbs and the relocation of the bus stop sign and post to opposite 11 High Street, Carlton prior to commencement on site.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

REASON:

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

7. The retail unit hereby approved shall not be brought into use until the access, parking, manoeuvring and turning areas at the site have been constructed in accordance with the details approved in writing by the Local Planning Authority. Car parking spaces shall be a minimum of 2.4 metres wide x 4.8 metres in length. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON:

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

8. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. the parking of contractors' site operatives and visitor's vehicles;
3. areas for storage of plant and materials used in constructing the development clear of the highway;
4. details of site working hours;
5. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

REASON:

In the interest of public safety and amenity.

9. The premises shall only be open for trade or business (excluding deliveries) between 07:00 hours and 22:00 hours Monday to Sunday including Bank Holidays.

REASON:

To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with SDLP Policy ENV1.

10. Notwithstanding the requirements of condition 8 (opening hours) of this permission, no deliveries of goods to or from the site shall take place between 20:00 hours and 08:00 hours on any day.

REASON:

To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with SDLP Policy ENV1.

11. A scheme for the drainage of surface water via soakaway, based on the submitted drainage strategy, shall be submitted to and approved by the Local Planning Authority. The Storage volume should accommodate a 1:30 year event with no surface flooding and no overland discharge off the site in a 1:100 year event. A 30% allowance for climate change should be included in all calculations.

REASON:

To ensure that the installation of soakaways provide an adequate method of surface water disposal and reduce the risk of flooding.

12. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

REASON:

In the interest of satisfactory and sustainable drainage.

13. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

REASON:

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

14. No demolition/development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. the programmer methodology of site investigation and recording.
2. community involvement and or outreach proposals.
3. the programme for post investigation assessment.
4. provision to be made for analysis of the site investigation and recording.
5. provision to be made for publication and dissemination of the analysis and records of the site investigation.
6. provision to be made for archive that position of the analysis and records of the site investigation.
7. nomination of a competent person or persons /organisation to undertake the works set out within the written scheme of investigation

REASON:

Due to the site being of archaeological significance and in accordance with section 12 of the NPPF (paragraph 141)

15. No demolition/development shall take place other than in accordance with the written scheme of investigation approved under Condition 13.

REASON:

Due to the site being of archaeological significance and in accordance with section 12 of the NPPF (paragraph 141).

16. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 14 and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

REASON:

Due to the site being of archaeological significance and in accordance with section 12 of the NPPF (paragraph 141)

17. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. Notwithstanding any details shown on the approved plans, the details of the frames of each window serving the retail unit shall first have been submitted to and approved in writing by the Local Planning Authority. The windows shall be installed in full accordance with the approved details before the part of the building served by those windows is first occupied. The duly installed windows shall be maintained as such thereafter.

REASON:

To ensure an appropriate window treatment which is sympathetic to the character and appearance of the area in accordance with the requirements of CS Policy SP18 & SP19.

19. No development above foundation level shall take place until full details of the materials to be used for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be constructed in accordance with the duly approved materials.

REASON:

To ensure the use of suitable materials which are sympathetic to the architectural and historic character of the area in accordance with the requirements of CS Policy SP18 & SP19.

20. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), no advertisements shall be installed on, to, or, in the widows fronting High Street.

REASON:

In the interests of visual amenity in accordance with the requirements of CS Policy SP18 & SP19.

21. Details of hard and soft landscaping shall be submitted to the Local Planning Authority for approval prior to any development above ground level.

The approved landscaping scheme shall thereafter be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

REASON:

To ensure appropriate landscaping of the site in the interests of visual amenity.

Informatives:

1. The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.
2. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site: https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing_ind_est_roads_street_works_2nd_edition.pdf. The Local Highway Authority

will also be pleased to provide the detailed constructional specifications referred to in this condition.

3. Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.
4. An explanation of the Highways terms used above is available from the Local Highway Authority.
5. The submitted plans indicate the intention to erect signs and/or advertisements on the building/site. This planning permission does not grant consent for any signage shown on the approved plans, nor should it be construed or assumed that the indication of such signage on the approved plans will result in the grant of advertisement consent. The applicant is reminded of the need to make a separate application for advertisement consent to the Local Planning Authority in accordance with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) in order to obtain permission for any signage before this is erected.
6. All wild birds, their nests, eggs and young receive general protection under the Wildlife & Countryside Act 1981. In order to ensure compliance with this legislation, any trees, shrubs or other dense vegetation where birds might nest should preferably be cleared outside the breeding season (March to August inclusive for most species). If this is not possible, a competent person should first confirm that no nesting birds are present, on the understanding that any active nests must be left undisturbed until young have fledged.

8. LEGAL ISSUES

Planning Acts

- 8.1. This application has been determined in accordance with the relevant planning acts.

Human Rights Act 1998

- 8.2. It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

Equality Act 2010

- 8.3. This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

9. FINANCIAL ISSUES

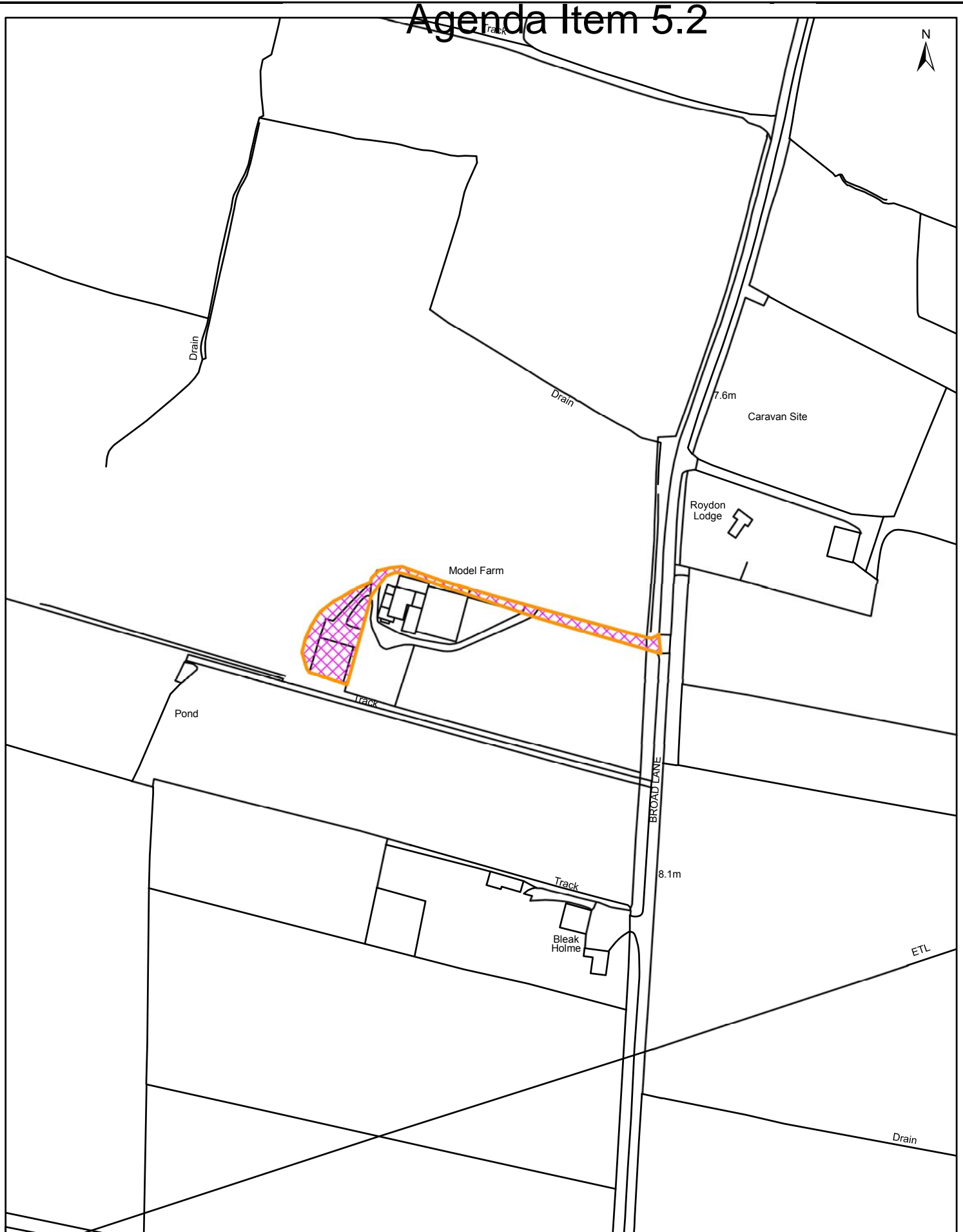
- 9.1. Financial issues are not material to the determination of this application.

10. BACKGROUND DOCUMENTS

10.1. Planning Application file reference 2019/1020/FUL and associated documents.

Contact Officer: Chris Fairchild - Senior Planning Officer
cfairchild@selby.gov.uk

Agenda Item 5.2



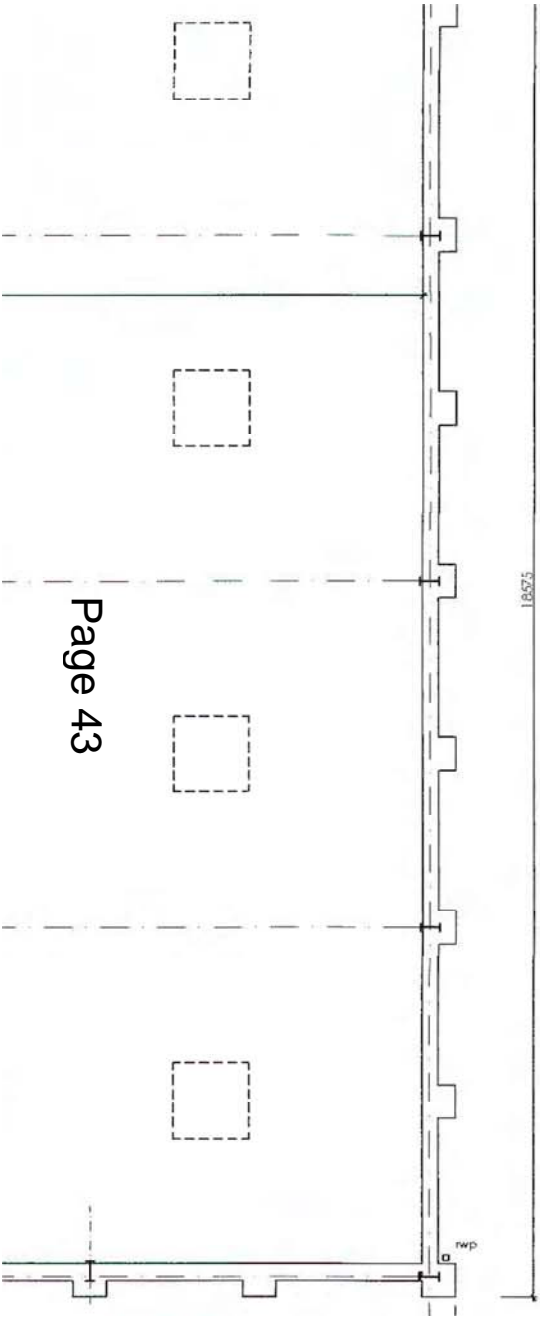
APPLICATION SITE

Model Farm, Broad Lane, Cawood
2020/0218/FUL

1:2,500



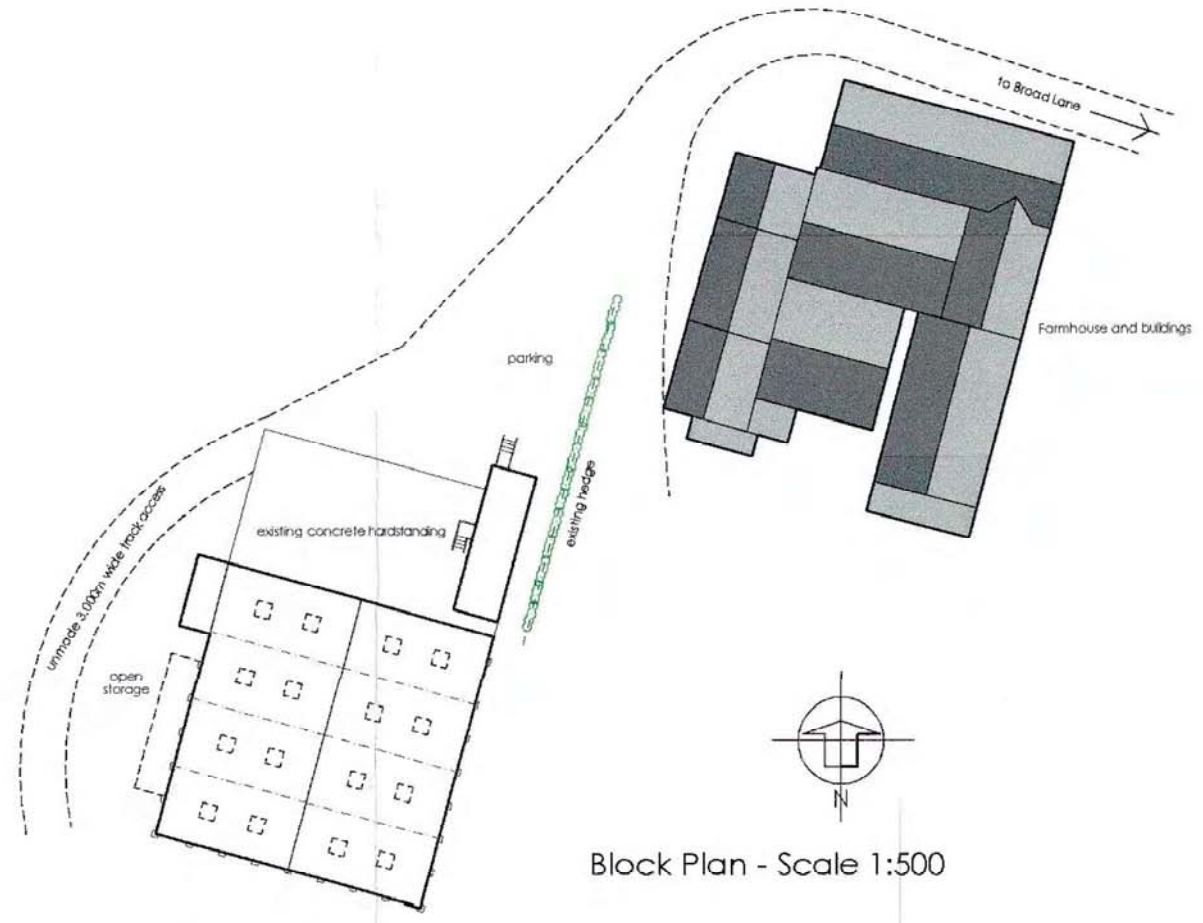
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Existing North Elevation - Scale 1:200

existing

Page 43



BUS

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Report Reference Number: 2020/0218/FUL

To: Planning Committee
Date: 7 October 2020
Author: Rebecca Leggott (Senior Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0218/FUL	PARISH:	Cawood Parish Council
APPLICANT:	Selby Area Internal Drainage Board	VALID DATE: EXPIRY DATE:	3rd March 2020 28th April 2020
PROPOSAL:	Proposed change of use from agricultural storage to depot for the Selby Area Internal Drainage Board and siting of modular site office/changing room		
LOCATION:	Model Farm Broad Lane Cawood Selby North Yorkshire YO8 3RA		
RECOMMENDATION:	GRANT		

This application is to be determined by the Planning Committee since it does not strictly accord with Policy EMP8 (1) and (2) of the Selby District Local Plan as identified in the report below. However, since the proposal would comply with all other relevant criteria, it is considered that there are material considerations which support the application.

1. INTRODUCTION AND BACKGROUND

Site and Context

1.1. The site is known as Model Farm which lies within open countryside, 2km to the south of the Cawood settlement. The site is accessed from Broad Lane, which also serves Model Farm. The building lies in the south west corner of the farmstead and is a typical portal framed, block work and fibre cement sheeted building, measuring 18.6m x 18.7m. The building is screened to the south and east by trees and a mature hedgerow. The area is essentially rural in character. Model Farm is a working farm with the usual farm traffic and activity.

1.2. The application site is located outside of a defined limit and therefore is located within open countryside. The application site is also located within Flood Zone 1.

The Proposal

1.3. The Planning Statement submitted states that the proposals are for “...*the change of use of an existing portal- framed agricultural building along with the siting of a modular building along site the shed, a parking area, and the use of a small external area for the open storage of materials.*”

1.4. It is noted that the IDB currently operate out of a depot in Barlow. However, the agent has advised that the lease is due to end on this unit and therefore the IDB are looking to form a new depot of a similar size. The proposed depot will act as the base for a staff of up to 10 personnel. The building will be used to securely house small items of plant, equipment, with the concrete apron used for outside storage of less valuable materials such as timber, pipes, fencing. The proposed cabin will be used for welfare and staff facilities. The IDB require a rural location given the nature of work the IDB undertake i.e. the IDB are responsible for maintaining 500km network of watercourses in the district.

Relevant Planning History

1.5. The following historical application is considered to be relevant to the determination of this application.

- CO/1996/0828, Description: Erection of lean-to extension to existing agricultural building for the housing of livestock (Ostrich) at, Model Farm, Broad Lane, Cawood, Selby, Decision: PER, Decision Date: 28-OCT-96

2. CONSULTATION AND PUBLICITY

2.1. **NYCC Highways Canal Rd** – NYCC Highways have raised no objections to the proposed development subject to a condition relating to Private Access/Verge Crossings: Construction Requirements. An informative advising that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out.

2.2. **Yorkshire Water** – No response received.

2.3. **Parish Council** – Cawood Parish Council have raised no objections to the proposed development.

2.4. **Selby Area Internal Drainage Board** - No Consent from the IDB is required as there are no proposed works within or near an ordinary watercourse and no proposed discharge to a watercourse.

2.5. **Neighbour Summary** - All immediate neighbours were informed by letter; a site notice was erected resulting in no letters of representation being received.

3. SITE CONSTRAINTS

Constraints

3.1. The site is in the open countryside without allocation and within Flood Zone 1.

4. POLICY CONSIDERATIONS

4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.

4.2. The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

4.3. On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.

4.4. The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.

4.5. Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

"213...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

Selby District Core Strategy Local Plan

4.6. The relevant Core Strategy Policies are:

- SP1 – Presumption in Favour of Sustainable Development
- SP2 – Spatial Development Strategy
- SP13 – Scale and Distribution of Economic Growth
- SP15 – Sustainable Development and Climate Change
- SP18 – Protecting and Enhancing the Environment
- SP19 – Design Quality

Selby District Local Plan

4.7. The relevant Selby District Local Plan Policies are:

- ENV1 – Control of Development
- EMP2 – Location of Economic Development
- T1 – Development in Relation to the Highway
- T2 – Access to Roads

5. APPRAISAL

5.1. The main issues to be taken into account when assessing this application are:

- The Principle of the Development
- Design and Impact on the Character and Appearance of the Area
- Impact on Residential Amenity
- Highway Issues
- Flood Risk, Drainage and Climate Change

The Principle of the Development

5.2. The site is located outside any defined development limits and is therefore located within the open countryside.

5.3. Policy SP2(c) of the Core Strategy states that 'Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes....which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13 or other special circumstances.

5.4. Policy SP13 states that in rural areas, sustainable development which brings sustainable economic growth through local employment opportunities or expansion of businesses and enterprise will be supported. The proposal would ensure an existing sustainable business expanding its facilities to the benefit of the operational need of the business.

5.5. Policy EMP2 of the Selby District Local Plan states that new development will be concentrated in and around Eggborough, Selby, Sherburn in Elmet and Tadcaster, and that encouragement will be given to the proposals for small-scale development in villages and rural areas in support of rural economy.

5.6. Policy EMP8 of the Selby District Local Plan states, "Proposals for the conversion of rural buildings *for commercial, industrial or recreational uses, including appropriate farm diversification activities, will be permitted provided:*

- 1) *The building is structurally sound and capable of reuse without substantial re-building;*
- 2) *The proposed re-use or adaptation will generally take place within the fabric of the building and will not require extensive alteration, re-building and/or extension;*
- 3) *Conversion would not damage the fabric and character of a building of architectural or historical interest, or a traditional building which makes a positive contribution to the character of the countryside;*

- 4) *The form, bulk and general design of the building is in keeping with its surroundings;*
- 5) *The conversion of the building and ancillary works, such as the creation of incidental outside areas, and the provision of satisfactory access and parking arrangements, would not have a significant effect on the character and appearance of the area, or encroach into open countryside; and*
- 6) *The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity."*

5.7. Paragraph 83 of the National Planning Policy Framework (NPPF) is clear that in order to promote a strong rural economy, support should be given to the expansion of all types of businesses and enterprises in rural areas through the conversion of existing buildings and well-designed new buildings.

5.8. The application proposes the change of use from agricultural storage to depot for the Selby Area Internal Drainage Board and the siting of modular site office/changing room for employment use. The proposals would be acceptable in terms of Policy SP2A (c) given its the reuse of a building for employment purposes. However, proposals that are acceptable in principle are still required to meet the policy tests set out within this policy. This includes whether the proposed development would contribute towards or maintain the vitality of rural communities, in accordance with policy SP13.

5.9. Where the proposed scheme may be acceptable in principle it would be required to meet the policy, tests set out in in Local Plan Policy EMP8 (1), (2), (3), (4), (5), (6).

5.10. The impact on acknowledged interests against the above policy tests is considered in the following parts of the report, including the issue of scale.

Design and Impact on the Character and Appearance of the Area

5.11. Relevant policies in respect to the impact of development on character and appearance of the area is Policy ENV1 of the Selby District Local Plan. The more specific policy that considers the visual impact of rural conversions to commercial uses in the countryside is Policy EMP 8. Policies SP13 (D), SP18 and SP19 of the Core Strategy and advice contained within the NPPF also provide more generic guidance in which to assess the proposal.

5.12. The proposals are for the change of use of an existing portal framed agricultural building, along with the siting of a modular building along site the shed, a parking area, and the use of a small external area for the open storage of materials.

5.13. In respect of the works to the existing portal framed agricultural building, this would involve no changes to the external appearance, other than the replacement of the timber sliding doors, with a roller shutter door on the north elevation. Also, the replacement of the timber personnel door on the eastern elevation with a steel door in the same opening. The existing building is structurally sound and capable of re-use without substantial rebuilding. The proposed works to the building in question are minimal and take place within the fabric of the existing building. The works would retain the agricultural nature of the portal framed building as would be expected within the open countryside. Therefore, this element of the proposals complies with all relevant criteria set out within Policy EMP8.

- 5.14. In respect of the proposed siting of a modular building, this would be located alongside the existing building to be converted. This would be a new element that wouldn't take place inside the fabric of the building and would be regarded as a significant extension. Therefore, this element of the proposals fails to comply with criterion (1) and (2) of EMP8. However, the proposed modular building would appear ancillary to the existing building to be converted and given the simple form and nature of the proposed building would be in keeping with the surrounding buildings and overall surrounding open countryside. The modular build is temporary in nature and can be removed as necessary if the main use of the building ceases.
- 5.15. In respect of the proposed parking, access and storage areas, this would mostly be located over an existing area of concrete hard standing and track. Given this was previously used for agricultural purposes, it is not considered that this would have a significant effect on the character and appearance of the area or encroach into open countryside. A condition is also imposed to limit the height of any outside storage to 2m. Therefore, this element of the proposals complies with all relevant criteria set out within Policy EMP8.
- 5.16. In terms of the wider impact of the use on the countryside, the building is set 130 meters west of Broad Lane with views to the building constrained by existing vegetation in particular a 4m hedgerow that would screen the proposed cabins location, hard standing and parking.
- 5.17. Taking into consideration all of the above, although certain elements of the proposal would fail to comply with criterion (1) and (2) of Policy EMP8 due to the free-standing cabin, the development as a whole is within the spirit of EMP 8. The scheme in respect of the size, scale, siting, location and design of the proposed development, would be acceptable to its surroundings and would not have a detrimental impact on the open countryside. The proposal therefore complies with Policy ENV1 of the Selby District Local Plan, Policies SP13 (D), SP18 and SP19 of the Core Strategy and the NPPF.

Impact on Residential Amenity

- 5.18. Relevant policies in respect of the effect upon the amenity of adjoining occupiers include Policy ENV1 (1) of the Selby District Local Plan. Significant weight should be attached to this Policy as it is broadly consistent with the aims of the NPPF to ensure that a good standard of amenity is achieved.
- 5.19. The key considerations in respect of residential amenity are considered to be the potential of the proposal to result in overlooking of neighbouring properties, overshadowing of neighbouring properties and whether oppression would occur from the new development. It is also necessary consider whether the use will cause harm by virtue of the farmstead being split and another commercial use being considered alongside the existing farm.
- 5.20. The existing portal- framed agricultural building would be used to store small items of plant and equipment such as trailers and pups and occasionally excavation plant. On the west side of the building there will be some elements of open storage of materials such as lengths of timber, fencing and pipes. The area of hard standing to the north bound by the hedge to the east will be used for parking of private cars and the IDB's trucks.
- 5.21. Officers have noted that the landowner occupies the farmhouse for Model Farm, which is within close proximity. However, given the proposed use will operate

generally during normal business hours, 07:00 – 16.30 Monday to Friday and 07:00-13:00 on Saturdays, and it is not considered to involve activities which will produce noise, dust or odour and given the land is within the occupier's ownership, there is an element of control retained by the adjacent landowner. Therefore, Officers do not consider that there will be any additional significant adverse impacts on the occupiers of the farmhouse.

- 5.22. Environmental Health have been consulted and have raised no objections to the proposed development.
- 5.23. Given the site context in respect of the dwelling within close proximity to the application site, Model Farm House, and the separation distance from the other surrounding residential properties, and due to the size, scale and design of the proposed development, it is not considered that it would result in adverse effects of overlooking, overshadowing or overbearing of neighbouring properties.
- 5.24. Overall, it is considered that the proposals would not have a significant adverse effect upon adjoining residents in accordance with Policy ENV1 and ENV2 of the Selby District Local Plan and EMP8 of the Core Strategy.

Impact on Highway Safety

- 5.25. Relevant policies in respect to highway safety include Policies ENV1, T1 and T2 of the Selby District Local Plan and requirement (c) set out in Policy SP19 of the Core Strategy. These policies should be afforded substantial weight as they are broadly consistent with the aims of the NPPF.
- 5.26. The proposals would make use of an existing access and create eight additional car parking spaces.
- 5.27. NYCC Highways commented on the proposed development and have raised no objections subject to a condition relating to Private Access/Verge Crossings: Construction Requirements. The Highways Officer has also advised that an informative be attached stating that, a separate license will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out.
- 5.28. Overall, in respect of Policy EMP8 of the Selby District Local Plan on balance the proposed development would comply with criteria (2) of the policy and would be acceptable in respect of Local Plan Policy SP19 of the Core Strategy and policies contained within the NPPF.

Flood Risk and Drainage

- 5.29. Relevant policies in respect to flood risk include Policies SP15, SP19 of the Core Strategy, and paragraphs 149,150,155,156, 157, 158, 163 of the NPPF.
- 5.30. Firstly, addressing the issues of flood risk, the application site is within Flood Zone 1, which has a low probability of flooding. Given the application site is located within Flood Zone 1 and the proposals are for less vulnerable development the Sequential Test and Exceptions Tests are not required.
- 5.31. In terms of drainage, the surface water from the existing farm building is suitably drained and therefore needs no further control. Therefore, it is only necessary to

consider the new cabin. The submitted application form sets out that surface water would be disposed of via existing water course and the foul sewage from the cabin welfare facility would be disposed of via a cess pit (storage tank).

5.32. A Foul Drainage Assessment Form has been submitted. Whilst cess pools are not normally accepted this has been justified within the submission. In summary, the site is in a rural location and there are no nearby public sewers to connect to, which therefore rules out mains drainage. Also, there is no further land available to the applicant to allow the use of a septic tank or package treatment system that needs land to drain its discharge. Therefore, in this instance a cess pool is considered acceptable. Furthermore, permission will be required from the Environment Agency in respect of this type of development.

5.33. Yorkshire Water and the IDB have been consulted on the proposals and raised no objections.

5.34. On the basis of the above the proposals are considered to be acceptable in terms of drainage, and flood risk and therefore accord with Policies SP15, SP16, SP19 of the Core Strategy, and paragraph 163 of the NPPF.

6. CONCLUSION

6.1. This type of farm diversification and use of an existing rural building to business use is acceptable in principle in the NPPF and in development plan policy. Though it is noted that the proposals as a whole would conflict with criteria 1 and 2 of Policy EMP8 of the Core Strategy. It is considered that the NPPF is a material consideration and in line with Paragraph 83 and 84 of the NPPF relating to the further reuse of the building and the diversification of agricultural business and the recognition of business and community needs in rural areas would be acceptable.

6.2. The works to the existing building are appropriate in terms of design with limited alterations.

6.3. Furthermore, the proposed development is considered to require a rural location due to the nature of the business and provides economic benefits by way of 10 jobs, as set out in the evidence submitted within this application. Therefore, in considering the proposals, the requirement for a rural location and economic benefits to the rural community and economy are considered to be material considerations which outweigh any conflicts with criteria 1 and 2 of Policy EMP8.

6.4. Thus, subject to the recommended conditions set out below, this application complies with the up to date Framework and principally with SDLP Policy EMP8 and compliance with the conditions would create a scheme in compliance with the development plan.

7. RECOMMENDATION

7.1. This application is recommended to be GRANTED subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- LOC 01 – Location Plan
- 0220 / I 540 / 01 Proposed and Existing Plans and Elevations
- Foul Drainage Assessment Form (FDA)

Reason:

For the avoidance of doubt.

03. The materials to be used in the construction of the surfaces of the proposed cabin hereby permitted shall be as stated on the application form:

- Walls – composite
- Roof – composite
- Windows – UPVC
- Doors - Timber

Only the approved materials shall be utilised.

Reason:

In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan.

04. The development hereby approved shall be used in association with the Internal Drainage Board only and not sold off separately.

Reason:

To avoid the establishment of additional businesses on site outside development limits; to comply with the terms of the application as submitted; and to comply with Policy EMP8 of the Selby District Core Strategy.

05. The existing boundary vegetation shall be retained. This includes the eastern most hedge which shall be retained at a height of no less than 3m throughout the length of the proposed cabin. Any tree or hedgerow which dies, is removed or becomes seriously damaged or diseased within the first five years shall be replaced in the next planting season with landscaping of a similar size and species.

Reason:

In the interests of visual and residential amenity and in order to comply with Policies ENV1 and EMP8 of the Selby District Local Plan.

06. There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E2.

- b) Any gates or barriers shall be erected a minimum distance of 13 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- c) Provision should be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the specification of the Local Highway Authority.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In accordance with policy T1 and T2 of the Selby Local Plan in the interests of highway safety and the general amenity of the area.

07. Any outside storage of materials used in connection with the use hereby permitted shall not be stacked or deposited on the site above a height of 2 metres measured from ground level.

Reason:

In the interests preserving the character and appearance of the area in accordance with Policies ENV1 (1), (4) and EMP8 (5) of the Selby District Local Plan, Policy SP13 of the Core Strategy (2013).

INFORMATIVES:

01. INFORMATIVE:

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

02. HIGHWAYS:

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

03. COAL:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

04. RIPARIAN MAINTENANCE RESPONSIBILITY:

Any watercourse adjacent to and/or affected by this development is not maintained by the Board. The responsibility for the continued maintenance of any such watercourse and its banks rests ultimately with the riparian owners.

05. CONSENT – DISCHARGE:

Under the Board's Byelaws the written consent of the Board is required prior to any discharge (directly or indirectly) into any watercourse within the Board's District.

06. ECOLOGY:

All nesting birds receive general protection under the Wildlife & Countryside Act 1981. It is advisable to undertake demolition of buildings, tree removal or clearance of dense vegetation outside the bird nesting season (March to August inclusive for most species), or after a competent person has confirmed that no active nests are present.

The roofing of the existing building to be demolished should be stripped carefully by hand. Should any Bats and/or other protected species be encountered during the demolition of the existing building, removal of any existing hard surface area or the construction of the proposed development advice in terms of mitigation measures should be sought from a qualified Ecologist.

07. HIGHWAYS:

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf

8. Legal Issues

8.1. Planning Acts

This application has been determined in accordance with the relevant planning acts.

8.2. **Human Rights Act 1998**

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

8.3. **Equality Act 2010**

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However, it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

9. **Financial Issues**

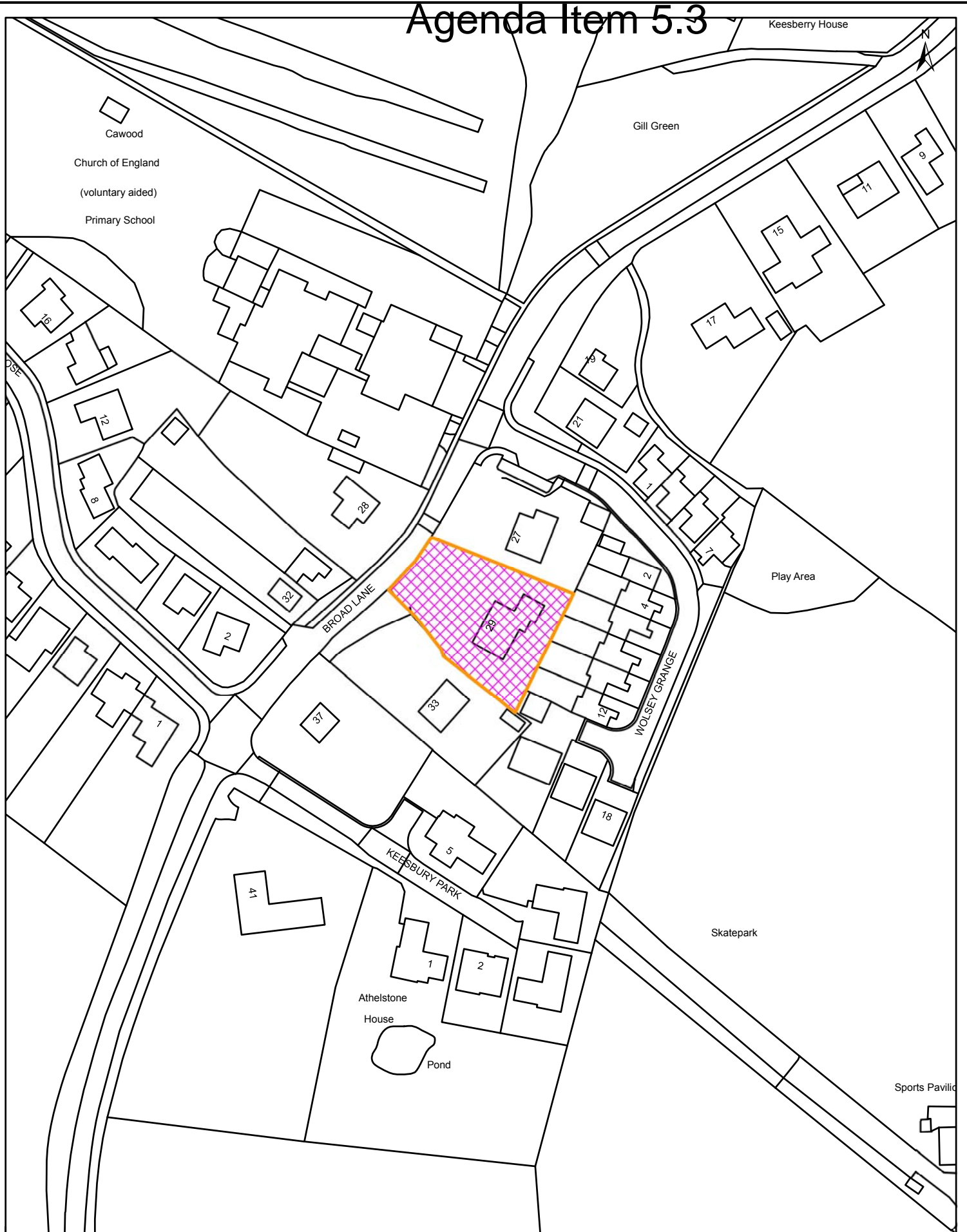
Financial issues are not material to the determination of this application.

10. **Background Documents**

Planning Application file reference 2020/0366/FUL and associated documents.

Contact Officer: Rebecca Leggott - Senior Planning Officer
rleggott@selby.gov.uk

Agenda Item 5.3



APPLICATION SITE

29 Broad Lane, Cawood
2020/0485/HPA

1:1,250



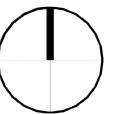
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SITE LOCATION 1:1250
 *All dimensions are taken from OS data



**AMENDED
DRAWING**



Project
 29 Broad Lane, Cawood,
 Selby, YO8 3SQ

Drawing Title
 Proposed Site Plan

Date 09/09/2020	Scale 1:500@A3	Drawn by EB	Check by TG
Project No CAL010317	Drawing No 05	Revision REV C	

PROPOSED SITE PLAN 1:500
 *All dimensions are taken from OS data



Master Planning & Urban Design •
 Architecture • Building Control •
 Graphic Communication • Public
 Engagement

clendon.co.uk
 2 Bar Lane, York YO1 6JU
 01904 341408

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Report Reference Number: 2020/0485/HPA

To: Planning Committee
Date: 7 October 2020
Author: Bethany Harrison (Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0485/HPA	PARISH:	Cawood Parish Council
APPLICANT:	Mr T Gray	VALID DATE:	22nd May 2020
		EXPIRY DATE:	17th July 2020
PROPOSAL:	Alterations to roof of existing garage to provide additional living accommodation and single storey extension to rear		
LOCATION:	29 Broad Lane Cawood Selby North Yorkshire YO8 3SQ		
RECOMMENDATION:	APPROVE		

The decision on this application is at the discretion of the Head of Planning as 10 letters of representation have been received which raise material planning considerations and Officers would otherwise determine the application contrary to these representations.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located within the defined development limits for Cawood, on Broad Lane. The site comprises a detached bungalow with an integral garage, situated within a large plot which has garden space to front and rear. The dwelling also benefits from a hardstanding to the front of the dwelling for parking cars.
- 1.2 The site is bordered by residential dwellings to the north, east and south and Broad Lane runs to the west of the dwelling.

The Proposal

- 1.3 It is considered that this application has two elements. The erection of a single storey extension to rear and the erection of a pitched roof over the existing flat-roofed garage, which would adjoin this rear extension.

- 1.4 It is noted that the original proposal under this application was for removal of the existing garage and construction of a new side 1.5 storey side extension in the same siting, however the applicant subsequently amended plans to incorporate the existing garage instead. A full re-consultation was undertaken based on the amended plans.
- 1.5 It is noted that objectors to the application made comments regarding reference to an 'integral' garage. This was an error as it is acknowledged that the garage is attached, however is not integral. The description of development has been changed to describe the garage as 'existing.'
- 1.6 The proposed rear extension would be single storey and has been granted prior approval in its own right under ref:2020/0134/HEN. This would extend 7 metres from the rear of the dwelling and would partly wrap around the rear of the existing garage. It measures 2.9 metres in height and has a flat roof.
- 1.7 The proposed change to the pitch of the roof of the existing garage would incorporate the rear extension into it, which would extend the existing garage by 3.5 metres in length at the rear. The height of the proposed garage would increase to approximately 6.45 metres, which would match the existing ridge height of the dwelling and would not exceed it.
- 1.8 The proposed change in roof pitch would be built using materials which would match the existing dwelling, consisting of brick with a white render and roof tiles, with the single storey element having a flat felt roof. Windows and doors are stated to match the existing dwelling in appearance and will be constructed using either UPVC or aluminium framing.
- 1.9 It should be noted that a Permitted Development enquiry was submitted for the dwelling under PD/2020/0079 for the increase in ridge height of the garage roof, notwithstanding the extant prior approval. It has been stated that it would be the intention of the applicant to extend the roof height of the existing garage and build the single storey rear extension approved under 2020/0134/HEN separately if this application were to be refused, rather than adjoin them as this application proposes.
- 1.10 It has been stated by the applicant that the objective of the development is to provide further habitable living space within the dwelling.

Relevant Planning History

- 1.10 The following historical application is considered to be relevant to the determination of this application.
 - The erection of the original dwelling was consented under CO/1979/16525, dated 1st August 1979
 - A detached annex building with associated parking area was permitted at the site under 2016/1038/HPA, dated 18th October 2016. This was not built and the permission has now lapsed
 - A single storey rear extension was permitted under prior approval 2020/0134/HEN, dated 13th March 2020

- The erection of a pitched roof over the existing garage was confirmed to comply with Permitted Development criteria under PD/2020/0079, dated 13th August 2020

2. CONSULTATION AND PUBLICITY

2.1 NYCC Highways – Made comments as follows:

- Consulted in the first instance on the application as originally submitted and asked for further information regarding parking on the site, due to the loss of the garage space. Advised that the dwelling needs to have room for 3 cars to park and turn to meet NYCC standards and requested a plan showing this.
- Re-consulted following the amendment of the scheme and confirmed that concerns raised by highways had been addressed due to the setting back of the scheme. No conditions or informatives were requested to be attached to the permission.

2.2 Parish Council – Objected to the scheme based on the following:

- Objections submitted by neighbouring occupants including proximity to neighbouring dwellings and the scale of the proposed.
- Overshadowing and loss of light of neighbouring occupants of Wolsey Grange and 27 Broad Lane in particular.
- Feel the proposed would constitute overdevelopment of the original dwelling and would be out of character for the area, overwhelming the plot.

2.3 Internal Drainage Board – No comments received.

2.4 Yorkshire Water – No objection, no further comment.

2.5 Environmental Health - No objection, did not ask for any further conditions to be attached onto the permission.

2.6 Neighbours – Were informed of the proposed by letter and by site notice erected on 30/06/20. As a result of this, 10 letters of objection were received and 1 neutral comment was received. In summary the comments made were as follows:-

- Overshadowing and loss of light of neighbouring dwellings, particularly those of Wolsey Grange and 27 Broad Lane
- Comments stating that the separation distance is not significant enough, stating that it has been misrepresented on the plans
- Scale of the proposed is too large
- The proposed will be overbearing and will create a sense of enclosure
- The proposed would constitute overdevelopment and would be out of keeping with the area
- Skylights would allow for overlooking of neighbouring dwellings
- A query regarding drainage on the site

3 SITE CONSTRAINTS

Constraints

- 3.1 The site is located within the Defined Development limits of Cawood, which is identified as a Designated Service Village in the Selby District Core Strategy.
- 3.2 The application site is located part within Flood Zone 2, which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1%

- 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.

- 3.3 The majority of the site is situated within the 100m buffer zone for Cawood Conservation Area. No part of the site is within the Conservation Area.

4 POLICY CONSIDERATIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.

- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.

- 4.4 The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.

- 4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

"213...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

Selby District Core Strategy Local Plan

- 4.6 The relevant Core Strategy Policies are:

- SP1 - Presumption in Favour of Sustainable Development
- SP2 - Spatial Development Strategy
- SP15 - Sustainable Development and Climate Change
- SP18 - Protecting and Enhancing the Environment
- SP19 - Design Quality

4.7 The relevant Selby District Local Plan Policies are:

- ENV1 - Control of Development

5 APPRAISAL

5.1 The main issues to be taken into account when assessing this application are:

- Principle of the Development
- Design and Impact on the Character and Appearance of The Area
- Impact on Residential Amenity
- Impact on Highway Safety
- Flood Risk and Climate Change
- Impact on Heritage Assets
- Drainage
- Other Matters

Principle of the Development

5.2 The application site is located within the defined development limits of Cawood and seeks permission for the erection of a pitched roof over the existing garage which would adjoin a single storey rear extension. There is nothing in the NPPF to identify this type of development as being unsustainable or preclude in principle development of this type in this location. The extension is for domestic purposes and therefore appropriate in nature.

Design and Impact on the Character and Appearance of the Area

5.3 Relevant policies in respect to design and impact on the character and appearance of the area include Policy ENV1 (1) and (4) of the Selby District Local Plan and Policy SP19 "Design Quality" of the Core Strategy. Significant weight should be attached to Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF. Relevant policies within the NPPF which relate to design include paragraphs 127, 130 and 131.

5.4 The area surrounding 29 Broad Lane is predominantly residential except for Cawood Primary School to the north east of the dwelling. The surrounding dwellings consist of a mix of mainly detached dwellings, which are a mix of two-storey and bungalows along Broad Lane itself, which have large front garden areas. This area is described within the Cawood Village Design Statement as having 'no two houses the same' with a mix of styles built throughout the 20th Century. Behind Broad Lane is the residential development at Wolsey Grange, which consists of smaller, terraced style houses built in a modern style. Extensions of various sizes can be seen within the streetscene including rear extensions, extensions to the front of dwellings, dormers and detached garages.

5.5 Objectors to the application stated that the extension would not be in keeping with the character of the area and would have an inappropriately large footprint which would constitute overdevelopment.

- 5.6 The proposal as initially submitted included the demolition of the existing garage and subsequent rebuilding to form a large side extension with a new gable facing east. However, amended plans have since been submitted which incorporates the original garage into the proposal, which adds a pitched roof over the existing flat roof and adjoins a previously approved single storey rear extension, which has not been built. The proposal also includes the addition of 2 velux windows facing east and west respectively and alterations to the existing doors and windows, including the addition of glass sliding doors on the north, east and west elevations. The amended proposal is smaller in footprint than the scheme as previously submitted and is considered to be appropriate for the size of the dwelling and the context of the plot in which it sits.
- 5.7 The proposed is to be sited to north and east elevations of the dwelling. The pitched roof element of the application would be fully visible from the public highway as the dwelling fronts the highway however the visual impact of this is reduced by the separation distance between the public highway and the dwelling due to the substantial front garden area. The rear extension would be hidden from public view due to its height at 2.9 metres and its siting on the rear elevation of the dwelling.
- 5.8 The proposed is to be comprised of the flat roofed single storey extension and a dual pitched roof which would cover the existing flat roofed garage. The materials proposed to be used are stated on the application form to be matching the existing dwelling which is considered to be acceptable to allow the proposed to better relate to the host dwelling and cause less visual intrusion into the streetscene.
- 5.9 On balance it is considered that the proposed extensions would not impact on the character or visual amenity of the area to an extent which would warrant refusal of the scheme particularly given that it is noted that the site sits within the 100 metre buffer zone for Cawood Conservation Area which is assessed further on in this report.
- 5.10 As such, having regard to the above, it is considered that the proposal is acceptable and would not have a significant or detrimental impact on the character and appearance of the area. The proposal is therefore considered acceptable in accordance with Policy ENV1 of the Selby District Local Plan, Policy SP19 of the Core Strategy and the advice contained within Section 12 of the NPPF.

Impact on Residential Amenity

- 5.11 Policy ENV1 of the Selby District Local Plan requires that consideration is given to the impact of a development on residential amenity. Significant weight must be given to these policies as they are broadly consistent with the aims set out within Section 12 of the NPPF, which seeks to create high quality buildings and places.
- 5.12 The key considerations in respect of residential amenity are the potential of the proposal to result in overlooking of neighbouring properties, overshadowing of neighbouring properties and whether oppression would occur from size, scale and massing of the development proposed.
- 5.13 29 Broad Lane has neighbours to the north and a terrace of houses to the east that have been considered in this assessment. Whilst 29 Broad Lane also has a neighbour to the south, it is not felt that they would feel any adverse affects from the proposed extension due to the siting of the proposed development at the northern end of the dwelling and plot. Objections have been raised by neighbours at 2, 4, 5,

6, 8, 10, 12 and 18 Wolsey Grange, which is the neighbouring residential development to the east of 29 Broad Lane. Objection to the application has also come from 27 Broad Lane, the northern neighbour and a neutral comment was received from 33 Broad Lane to the south.

- 5.14 With respect to a loss of privacy caused by overlooking, objectors to the application raised concerns over the installation of velux windows into the east and west elevations of the proposed pitched garage roof as they felt the separation distance between the dwellings is not large enough to offset the effects of this. Based on O.S map data, it can be seen that the proposed pitched roof would have a minimum separation distance of 13 metres to the rear of number 8 Wolsey Grange, which is the closest house from this terrace to 29 Broad Lane. This is considered to be an acceptable separation distance to ensure that levels of overlooking between the dwellings to the east are not affected by overlooking at unacceptable levels. The neighbouring dwelling to the north, 27 Broad Lane, would not feel increased levels of overlooking as there are no new openings to be inserted into the north elevation.
- 5.15 With regard to overshadowing, objectors to the application made comments stating that it is felt that there would be a significant loss of light caused by the proposed to the northern neighbour, 27 Broad Lane. Although the proposed would stand at 6.45 metres, it is felt that the separation distance between the two dwellings as taken from the siting of the proposed and using OS data is approximately 8 metres, with a boundary fence and hedge in between. Furthermore, it is not felt that the proposed would overshadow 27 Broad Lane due to the orientation of the proposed, which is set back to the rear of the dwelling, so it is felt that the proposed is acceptable in terms of overshadowing of the northern neighbour. With regards to the neighbours to the east and north east, it is felt that the proposed would be sited an acceptable distance from these neighbours to offset any effects of overshadowing. It is also noted that the adjacent dwellings to the east are two storey, whilst the site is a bungalow.
- 5.15 In respect of causing an oppressive effect over its neighbours, objectors to the application stated that the proposed would have a large footprint which would cause a sense of enclosure over neighbours, particularly of those to the east, due to its size. It is felt that on balance, although the proposed would appear large, the scale of the development is appropriate for the size of the dwelling and the ridge height of the proposed would not exceed the height of the existing dwelling and would be 5.3 metres in width. Although the proposed would be fully visible from the rear windows of the dwellings to the east and north east, it is not felt that the proposed would appear unduly oppressive, as the dwellings to the rear of 29 Broad Lane are taller than the 6.45 metre ridge height of the proposed. Therefore, it is not felt that the scale of the proposed is significant enough to cause a sense of enclosure over the neighbouring dwellings to the east. With respect to the dwelling to the north, the proposed would extend the height of the existing garage upwards, which would be visible from the garden area of the neighbouring dwelling. However, it is not felt that this would cause unacceptable levels of oppression due to the existing boundary hedge of number 27 which measures over 2 metres and the separation distance between the dwellings.
- 5.16 Having regard to the above, it is considered that the proposals are acceptable in terms of residential amenity in accordance with Policy ENV1 (1) of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Highway Safety

- 5.17 North Yorkshire County Council Highways were consulted on this application as originally submitted and stated that further clarification was required regarding the parking arrangements on site, as the application involved the demolition of the garage and erection of a side extension.
- 5.18 Following the amendment of the scheme to include the existing garage and convert it into habitable living space, Highways has confirmed that by setting the scheme back, there is room to park 3 cars which is acceptable by NYCC standards and there is no objection to the proposed. As such, the proposal is considered to accord with Policies ENV1 (2) of the Local Plan and Paragraphs 34, 35 and 39 of the NPPF.

Flood Risk

- 5.19 The application site is located within Flood Zones 2 & 3 which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.
- 5.20 NPPF paragraph 164 States that "Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 50". The NPPG defines minor development and includes minor non-residential extensions (industrial/commercial/leisure, etc. extensions) with a footprint less than 250 square metres. A sequential and exception test is therefore not required in this instance.
- 5.21 A Flood Risk Assessment (FRA) was submitted with the proposal which states that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. The FRA is considered to be acceptable. The proposed scheme is therefore in accordance with the advice contained in within the NPPF and NPPG.

Impact On Heritage Assets

- 5.22 It is noted that application site is not located within the Conservation Area but is located within 100 metres of the Cawood Conservation Area. No Heritage Statement has been submitted to the authority in support of the proposal.
- 5.23 Notwithstanding this, it is noted that the proposed development would be sited within a residential area and would not be seen viewed within the context of the Conservation Area due to their separation distance and the existing built form of the surrounding area.
- 5.24 Given all of the above, it is considered that the proposed single storey rear extension is acceptable in terms of its siting, size, scale and design and would not have a significant detrimental impact on the Conservation Area. The proposal is therefore considered acceptable in accordance with Policies ENV1 of the Selby District Local Plan, Policy SP18 and SP19 of Core Strategy, and the advice contained within the NPPF.

Other Matters arising from Consultation

- 5.25 Neighbouring occupants to the application site raised a query concerning the additional water flow caused by the installation of a further bathroom into the garage area. Yorkshire Water have been consulted on this and stated that they would be making no objection to the application based on drainage and water flow. Therefore, it is considered that the scheme is acceptable in terms of the arrangements for drainage and water on site.
- 5.26 Objectors to the application raised concerns regarding the accuracy of the layout plan which it was believed had misrepresented the separation distances between the dwellings and were inaccurate. Further to this, the agent has submitted a subsequent layout plan which the measurements have been taken from OS map data and neighbouring dwellings are shown. This is considered to be acceptable as evidence to the accuracy of the plans.
- 5.27 Comments were received by objectors to the application regarding the noise of the dwellings occupants, with concerns that the proposed would increase these levels. The Environmental Health Department were consulted on this and advised that this would not warrant an objection to the application on these grounds due to the scale of the proposed and residential nature of the scheme.

6 CONCLUSION

- 6.1 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not have a significant detrimental effect on the character and appearance of the area or on the residential amenity of the occupants of neighbouring properties. The application is therefore considered to be in compliance with Policies ENV1 of the Selby District Local Plan, Policies SP1, SP15 and SP19 of the Core Strategy and the advice contained within the NPPF.

7 RECOMMENDATION

This application is recommended to be GRANTED subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- 05REVC – Proposed Site Plan Received 15th September 2020
- 06B – Proposed Floor Plans Received 16th June 2020
- 07B – Proposed Elevations A Received 16th June 2020
- 08B – Proposed Elevations B Received 16th June 2020

Reason:

For the avoidance of doubt.

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the application form, received by the Local Planning Authority on 15th September 2020. Only the approved materials shall be utilised.

Reason:

In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan

04. The development shall be carried out in accordance with the flood mitigation measures as set out in the Flood Risk Assessment submitted with the application received by the Local Planning Authority on 16th Jun 2020.

Reason:

In the interests of flood risk and flood risk reduction and in order to comply with the advice contained within the NPPF and NPPG.

8 Legal Issues

8.1 Planning Acts

This application has been determined in accordance with the relevant planning acts.

8.2 Human Rights Act 1998

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

8.3 Equality Act 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

9 Financial Issues

Financial issues are not material to the determination of this application.

10 Background Documents

Planning Application file reference 2020/0485/HPA and associated documents.

Contact Officer: Bethany Harrison - Planning Officer
bharrison@selby.gov.uk

Appendices: None



APPLICATION SITE

89 Doncaster Road, Selby
2020/0800/HPA

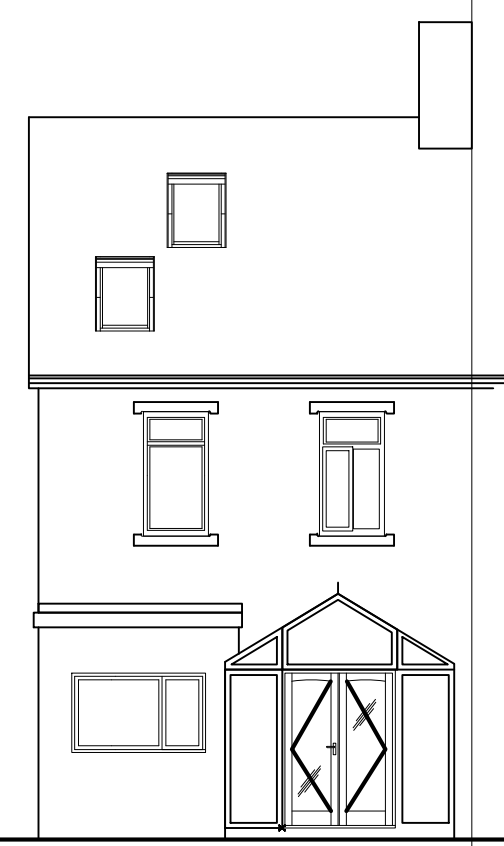
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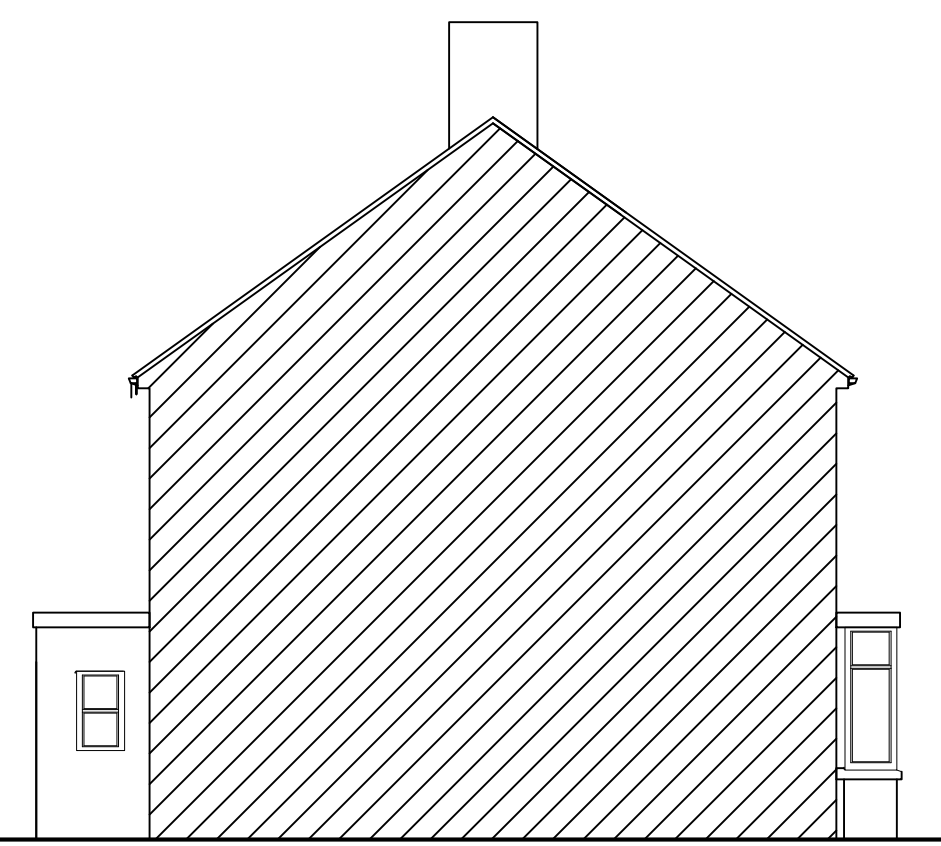
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Side Elevation



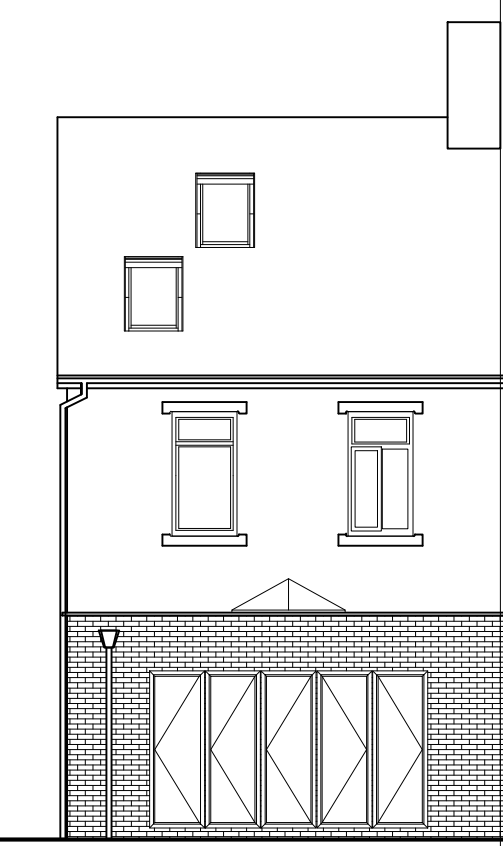
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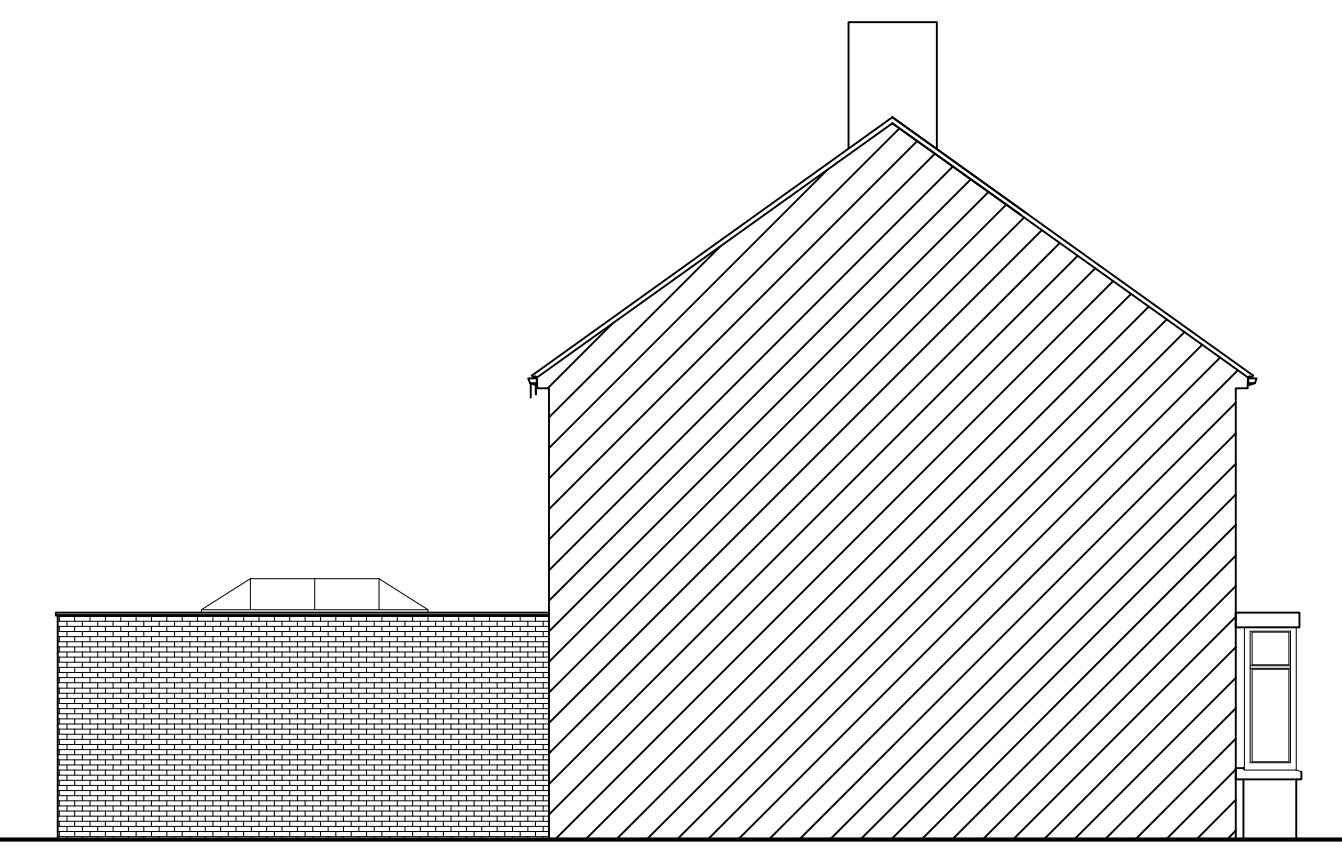
Boundary side Elevation



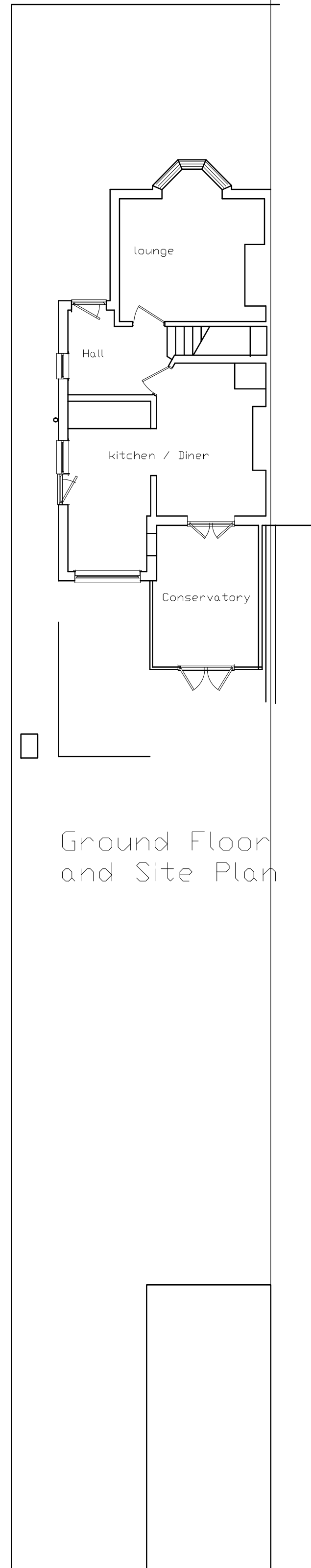
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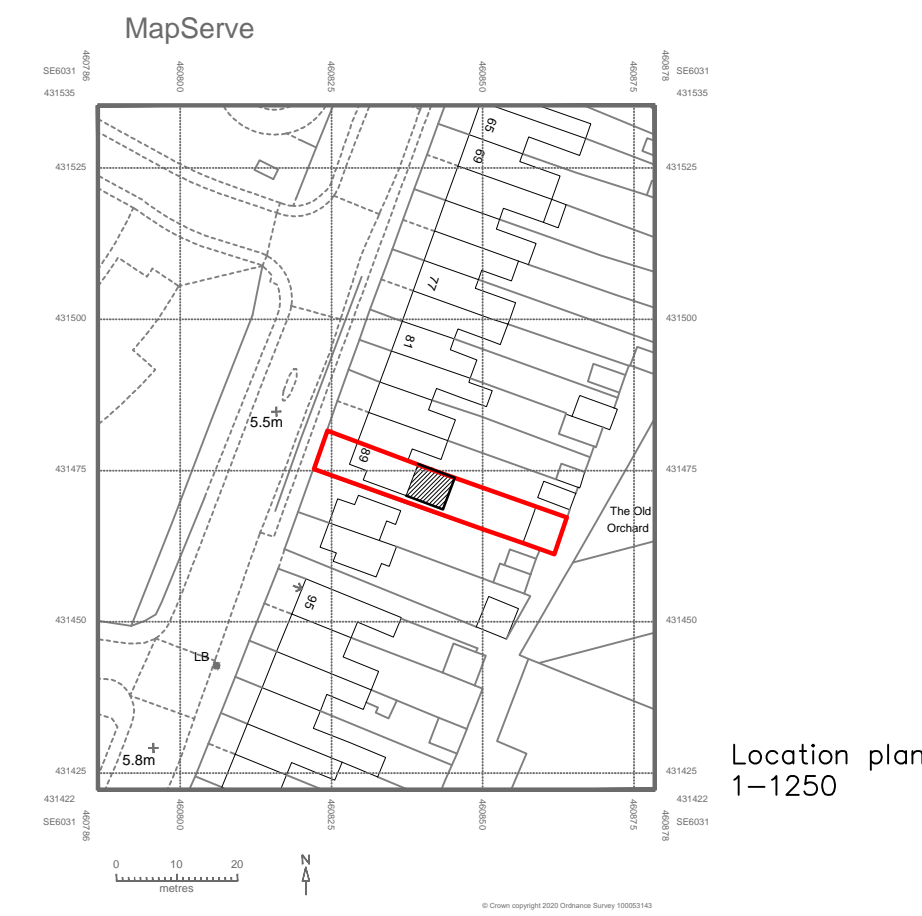
Rear Elevation



Boundary side Elevation



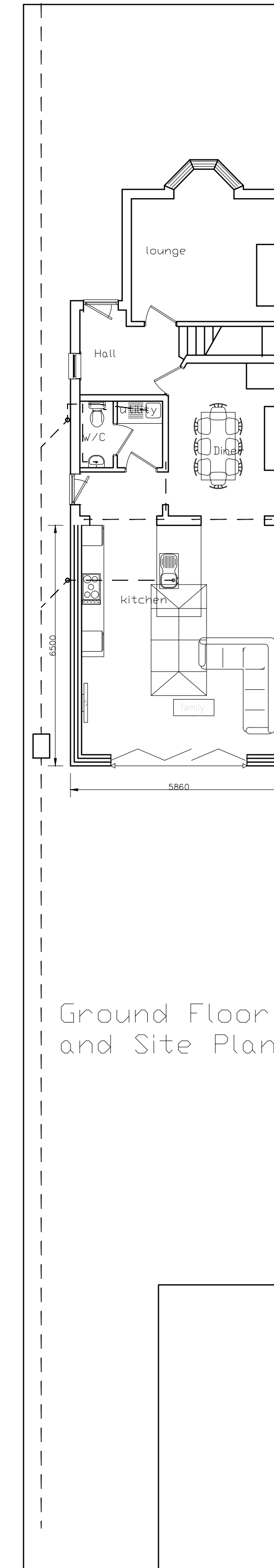
Ground Floor and Site Plan



Location plan 1-1250



Site plan 1-500



Ground Floor and Site Plan

Designed by S.C.S.	Checked by S.C.S.	Ref 27-07-20 O'Mahoney	Scale 1/100
Owner Mr. Steve O'Mahoney 89 Doncaster Road Selby YO8 9BU		Rear single story extension for kitchen / family room extension	

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Report Reference Number: 2020/0800/HPA

To: Planning Committee
Date: 7 October 2020
Author: Jac Cruickshank (Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0800/HPA	PARISH:	Selby Town Council
APPLICANT:	Mr Steve O'Mahoney	VALID DATE:	28th July 2020
		EXPIRY DATE:	22nd September 2020
PROPOSAL:	Rear single-storey extension for kitchen/family room extension		
LOCATION:	89 Doncaster Road Selby YO8 9BU		
RECOMMENDATION:	GRANTED		

This application has been brought before Planning Committee as the proposal has been submitted by the partner of a Head of Service for Selby District Council.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located within the development limits of the settlement of Selby.
- 1.2 The application site comprises of a two-storey terraced dwelling, which has a garden area to the front and to the rear. The dwelling benefits from a detached garage in the rear garden. The dwelling is located on Doncaster Road, which is residential in nature. The local area is predominantly made up of dwellings of a similar style and design.

The Proposal

- 1.3 The application is seeking planning permission for the erection of a single storey rear extension.
- 1.4 The proposed single storey extension would replace an existing flat roof extension and conservatory. The proposed extension would have a parapet roof with roof

lantern and would have maximum height of approximately 3 metres. The proposed extension would project out from the rear elevation by approximately 6.3 metres

Relevant Planning History

- 1.5 The following historical application is considered to be relevant to the determination of this application.
- 2005/1362/FUL (PER – 21/12/2005) Proposed erection of a brick shed and carport to replace wooden garage to rear.

2. CONSULTATION AND PUBLICITY

- 2.1 **Neighbour Comments** – This application has been advertised by site notice and neighbour letter resulting in no letters of representation being received.
- 2.2 **Parish Council** – No objections.

3 SITE CONSTRAINTS

Constraints

- 3.1 The application site is located within the defined development limits of Selby, which is the principle town with defined Development Limits as identified in the Core Strategy.
- 3.2 The application site is located part within Flood Zone 2, which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.

4 POLICY CONSIDERATIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.
- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.

4.4 The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.

4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

“213...existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

Selby District Core Strategy Local Plan

4.6 The relevant Core Strategy Policies are:

SP1 - Presumption in Favour of Sustainable Development
SP15 - Sustainable Development and Climate Change
SP19 - Design Quality

Selby District Local Plan

4.7 The relevant Selby District Local Plan Policies are:

ENV1 - Control of Development

5.0 APPRAISAL

5.1 The main issues to be taken into account when assessing this application are:

- 1) The principle of the development
- 2) Design and impact on the character and appearance of the area.
- 3) Impact on residential amenity
- 4) Flood risk

The Principle of the Development

5.2 The application site is located within the defined development limits of Selby and the application is seeking consent for the erection of a single storey extension to the rear of the host dwelling. There is nothing in the NPPF to identify this type of development as being unsustainable or preclude in principle development of this type in this location. The extension is for domestic purposes and therefore appropriate in nature.

Design and Impact on the Character and Appearance of the area.

5.3 Relevant policies in respect to design and impact on the character and appearance of the area include Policy ENV1 (1) and (4) of the Selby District Local Plan and Policy SP19 “Design Quality” of the Core Strategy. Significant weight should be

attached to Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF. Relevant policies within the NPPF which relate to design include paragraphs 127, 130 and 131.

- 5.4 The host dwelling has a pitched roof with eaves to a maximum height of 6.3 metres and ridge to a maximum height of 9.6 metres from ground level. The proposed single storey extension would replace an existing flat roof extension and conservatory. The proposed extension would have a parapet roof with roof lantern and would have maximum height of approximately 3 metres. The proposed extension would project out from the rear elevation by approximately 6.3 metres.
- 5.5 The proposed extension would be to the rear of the dwelling and as such would not be viewable from the highway or within the street scene. Moreover, the proposed extension would be of a simple design with materials to match the host dwelling. It is therefore considered that the proposals are acceptable in this context and it is not considered that the proposed extension would have an adverse impact on the character and appearance of the area.
- 5.6 Having regard to the above, it is considered that the proposals are of an appropriate design and given their size and siting would not have a significant impact on the character and appearance of the area. The proposals are therefore in compliance with policy SP19 of the Core Strategy and Policies ENV1 of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Residential Amenity

- 5.7 With regards to residential amenity, it is considered that the proposed extension would have negligible impact on overlooking as the proposed extension is single storey and any views from the site would be mitigated by the existing boundary treatments, which comprises of a timber fence and mature hedging.
- 5.8 From the site visit it was noted that the adjacent dwelling to the north, 87 Doncaster Road, benefits from a two-storey extension to the rear elevation. As such it is not considered that the proposed extension would have any significant impact on overshadowing or oppression on the dwelling. With regards to 91 Doncaster Road, the extension would have a flat roof and would be set off from the boundary. It is noted that an extension of similar proportions could be achieved under a larger-homes extension application.
- 5.9 Having regard to the above, it is considered that the proposal 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.

Flood risk

- 5.10 The application site is located within Flood Zone 2 which has been assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year.
- 5.11 NPPF paragraph 164 States that "Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in

footnote 50". The NPPG defines minor development and includes minor non-residential extensions (industrial/commercial/leisure, etc. extensions) with a footprint less than 250 square metres. A sequential and exception test is therefore not required in this instance.

- 5.12 A Flood Risk Assessment (FRA) was submitted with the proposal, which states that floor levels within the proposed development will be set no lower than existing levels and flood proofing of the proposed development has been incorporated where appropriate. The FRA is considered to be acceptable. The proposed scheme is therefore in accordance with the advice contained in within the NPPF and NPPG.

6 CONCLUSION

- 6.1 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not have a detrimental effect on the character and appearance of the area or on the residential amenity of the occupants of neighbouring properties. The application is therefore considered to be in compliance with Policies ENV1 of the Selby District Local Plan, Policies SP1, SP15 and SP19 of the Core Strategy and the advice contained within the NPPF.

7 RECOMMENDATION

This application is recommended to be Granted subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Drawing No 27-07-20 OMahoney Plans and Elevation Dated 28/07/2020

Reason:

For the avoidance of doubt.

03. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing building in colour and texture.

Reason:

In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan.

8 Legal Issues

9 Financial Issues

Financial issues are not material to the determination of this application.

10 Background Documents

Planning Application file reference 2020/0800/HPA and associated documents.

Contact Officer: Jac Cruickshank - Planning Officer
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Appendices: None



List of Planning Applications Determined Under Delegated Powers

The following Planning Applications have been determined by officers under the scheme of Delegation

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2019/1278/FUL	Mr & Mrs H White	Land Tranmore Lane Eggborough Goole East Yorkshire	Proposed erection of detached bungalow and garage following demolition of existing agricultural buildings north of	REFUSED 7 Sep 2020	Jenny Tyreman
2019/1355/FULM	Sedamyl UK	Sedalcol UK Ltd Denison Road Selby YO8 8EF	Proposed expansion of the production capacity of the existing agri-processing site, including new wheat intakes and storage, glucose plant, additional distillation and fermentation, additional starch and gluten production, carbon dioxide collection and associated utilities and services	PERMITTED 16 Sep 2020	Yvonne Naylor
2020/0059/MAN2	Mrs Melissa Akroyd	West Villa Station Road Wistow Selby North Yorkshire YO8 3UZ	Non material amendment of approval 2016/0696/COU for proposed change of use of existing barn to residential	PERMITTED 15 Sep 2020	Jac Cruickshank
2020/0060/FUL	Deputy for Cameron Clayton King	36 Sandhill Lane Selby YO8 4JP	Demolition of single storey dwelling and construction of single storey dwelling	PERMITTED 11 Sep 2020	Ryan King

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0132/FUL	Mr & Mrs Louisa Williams	3 Halfway Houses Newland Drax Selby North Yorkshire YO8 8PP	Application for domestic outbuilding (Retrospective)	REFUSED 1 Sep 2020	Mandy Cooper
2020/0257/LBC	Dr Melissa Akroyd	West Villa Station Road Wistow Selby North Yorkshire YO8 3UZ	Listed building consent for change of use from barn to residential	PERMITTED 15 Sep 2020	Jac Cruickshank
2020/0285/COU	Mr Roger Boothman	17 Copperfield Close Sherburn In Elmet North Yorkshire LS25 6NP	Change of use from waste land to garden and erection of 180cm high paling fence to the edge of footpaths to the rear and side of 17 Copperfield Close	PERMITTED 17 Sep 2020	Bethany Harrison
2020/0292/HPA	Mr Craig Walker	63 West Park Selby YO8 4JN	Proposed single storey extension to the rear elevation of semi detached property	PERMITTED 21 Sep 2020	Jac Cruickshank
2020/0358/HPA	Mr Paul Kemp	Holly Cottage 4 Station Lane Cliffe Selby North Yorkshire YO8 6NP	Proposed demolition of existing single storey outbuilding and erection of single storey extension to rear and erection of single storey porch to front of elevation	PERMITTED 21 Sep 2020	Jac Cruickshank
2020/0362/FUL	Mr Max Chambers	6 Sandhill Lane Selby YO8 4JP	Proposed construction of a single new detached dormer bungalow in a garden site adjacent to	PERMITTED 11 Sep 2020	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0364/COU	Webster Bros (Burn) Ltd	Hagg Bush House Hagg Bush Lane Burn Selby North Yorkshire YO8 8LE	Change of use of redundant agricultural store to 2 bed holiday cottage	PERMITTED 7 Sep 2020	Jenny Tyreman
2020/0383/FUL	Mr T Brady	School House Church Fenton Lane Ulleskelf Tadcaster LS24 9DW	Erection of detached dwelling and two single garages	REFUSED 10 Sep 2020	Irma Sinkeviciene
2020/0411/FUL	Mr & Mrs Hey	Fir Tree Farm Landing Road Gateforth Selby North Yorkshire YO8 9LF	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	PERMITTED 3 Sep 2020	Gary Bell
2020/0439/DOC	Countryside Properties (UK)	Land adjacent Selby Road Eggborough Goole East Yorkshire	Discharge of Condition 11 (Energy) of approval 2015/0356/OUT Outline planning permission (with all matters reserved) for a residential development, as amended non-material amendment 2020/0375/MAN2	CONDITION DECISION 11 Sep 2020	Jenny Tyreman
2020/0440/DOC	Countryside Properties (UK)	Land adjacent Selby Road Eggborough Goole East Yorkshire	Discharge of condition 15 (energy consumption) of approval 2019/0109/FULM proposed erection of 25 No dwellings with a vehicular access road adjoining the previously approved application scheme 2017/10131/REMM	CONDITION DECISION 11 Sep 2020	Jenny Tyreman

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0484/HPA	Mr Stephen Mennell	The Croft Long Drax Village Selby YO8 8NH	Erection of two storey extension	PERMITTED 3 Sep 2020	Jac Cruickshank
2020/0522/HPA	Mr Simon Wise	Westmere 26 Westfield Lane South Milford Leeds West Yorkshire LS25 5AP	Single storey extension to side and rear	PERMITTED 21 Sep 2020	Bethany Harrison
2020/0597/S73	Mrs Nancy Gray	The Chestnuts Main Street North Duffield Selby North Yorkshire YO8 5RG	Section 73 application to remove condition 06 of approval CO/1977/01745 Outline application for the erection of a detached bungalow on OS field 119 at Manor Farm (now known as The Chestnuts)	PERMITTED 8 Sep 2020	Irma Sinkeviciene
2020/0623/DOC	Mr J Stoyles	Holly Lodge Back Lane Osgodby Selby North Yorkshire YO8 5HS	Discharge of conditions 3 (materials), 4 (highways), 7 (drainage) & 8 (landscaping) of approval 2019/1121/FUL Demolition of existing bungalow and replacement with 2 No. new build 3 bedroom, detached dormer bungalows with integral garage	CONDITIONS PART DISCHARGED 8 Sep 2020	Rebecca Leggott
2020/0634/FUL	Mrs Julia Sutton-McGough	17A High Street South Milford Leeds West Yorkshire LS25 5AA	Increase in height of existing walls and replace the monopitch roof with a new dual pitch roof to provide new first floor office space and conversion of ground floor workshop to storage area including new windows and provision of parking space	PERMITTED 17 Sep 2020	Mandy Cooper

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0635/HPA	Mr & Mrs Mason	Hazelmere Field Lane Hensall Goole North Yorkshire DN14 0RE	Erection of an extension to the existing garage	PERMITTED 10 Sep 2020	Bethany Harrison
2020/0642/HPA	Clare Short	White Beeches 6 Moss Green Lane Brayton Selby North Yorkshire YO8 9EN	Erection of two storey side extension	PERMITTED 21 Sep 2020	Irma Sinkeviciene
2020/0658/TPO	Mr Paul Johnson	3 Garrick Close Brayton Selby North Yorkshire YO8 9RL	Application for consent to crown reduce by 30% and crown lift to create 5.1 m clearance to highway to 1 No Cedar Tree (T1), felling of 3 No Silver Birch (A2, A4 and A6), crown thinning by 20% to 2 No Silver Birch (A1 and A3), crown thinning by 10% to 2 No Silver Birch (A5 and A7), felling of 6 No Scots Pines (B3, B6, B7, B8, B9 and B13), reduction of overhang of asymmetric crown and removal of elongated branches to 7 No Pines (B1, B2, B4, B5, B10, B11 and B12), crown reduction and thin by 30% and reduction of branches to 1 No Maple, Crown reduction by 30% and removal of elongated branches to 1 No Beech (T6) covered by TPO 7/2002 and 3/1989	PERMITTED 15 Sep 2020	Will Smith
2020/0661/HPA	Mr Craig Forsyth	4 George Terrace Barlby Selby North Yorkshire YO8 5HA	Proposed single storey rear extension	PERMITTED 21 Sep 2020	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0679/TPO	Ben Lister	26 Chestnut Green Monk Fryston Selby Leeds North Yorkshire LS25 5PN	Application for consent to draw in over extended branches by 1-1.5m and crown lift by 2m to 1no Chestnut tree (T1) covered by TPO 12/1998	PERMITTED 2 Sep 2020	Will Smith
2020/0690/TPO	Mrs D Bird	Wells Cottage High Street South Milford Leeds West Yorkshire LS25 5AQ	Application for consent to crown lift 4No Sycamore trees by 1.5m and fell 1No Sycamore tree covered by TPO 12/2005	PERMITTED 18 Sep 2020	Will Smith
2020/0692/COU	Mr Christian Cotter	White Lodge Moor Lee Lane Eggborough Goole East Yorkshire DN14 0PY	Creation of an equestrian manege	PERMITTED 7 Sep 2020	Irma Sinkeviciene
2020/0693/TPO	Ms Anne Coe	Angel Cottage Main Road Hirst Courtney Selby North Yorkshire YO8 8QT	Application for consent to remove dying branches on one side of tree and removal of branches on opposite side to balance the tree to 1No Ash tree covered by TPO 1/2002	PERMITTED 3 Sep 2020	Will Smith
2020/0696/HPA	Mr David Bonalli	Parklands Low Street Carlton Goole East Yorkshire DN14 9LR	Two storey glazed entrance porch extension including first floor landing viewing gallery and first floor extension	PERMITTED 14 Sep 2020	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0698/HPA	Mr Stephen Mills	15 Mayfield Drive Brayton Selby North Yorkshire YO8 9JZ	Erection of first floor side extension over garage for bedrooms plus rear extension to utility room	PERMITTED 4 Sep 2020	Jac Cruickshank
2020/0700/HPA	Kathleen Walton	Beech Tree Cottage Doncaster Road Whitley Goole East Yorkshire DN14 0HY	Erection of rear dormer extension and garage extension to front	PERMITTED 2 Sep 2020	Irma Sinkeviciene
2020/0702/TCA	Mrs Victoria Budge	The Hawthorns Main Street Thorganby York North Yorkshire YO19 6DB	Felling of 1 No Silver Birch in the Conservation Area	PERMITTED 2 Sep 2020	Bethany Harrison
2020/0705/HPA	Jill Moore	14 High Meadow Selby YO8 3LT	Extension to existing dormer (retrospective)	PERMITTED 9 Sep 2020	Irma Sinkeviciene
2020/0711/TPO	Mr J Campbell	56 Greenacres Crescent Brayton Selby North Yorkshire YO8 9EY	Application for consent to crown clean canopy and crown reduce canopy height and spread 1.5-1.8m to 1no Oak tree (T1) covered by TPO 1/1994	PERMITTED 3 Sep 2020	Will Smith
2020/0720/TPO	Mr John & Mrs Jean Hertrich	2 Garrick Close Brayton Selby North Yorkshire YO8 9RL	Application for consent to crown lift to 5.2m and crown reduce by 1.5 metres to 1no Oak tree (T1) covered by TPO 3/1989	PERMITTED 14 Sep 2020	Will Smith

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0721/COU	Willow Properties (Yorkshire) Ltd	81 Brook Street Selby YO8 4AT	Change of Use from Convenience Store (A1) to a Cafe (A3)	PERMITTED 10 Sep 2020	Chris Fairchild
2020/0722/S73	Mr Charlie Singh	Cedar Villa Back Lane Barkston Ash Tadcaster LS24 9PL	Section 73 to vary/remove condition 02 (approved drawings) of planning permission reference 2017/0801/HPA proposed raising the height of the existing dwelling to create a first floor extension and detached garage granted on 14 July 2017	PERMITTED 4 Sep 2020	Irma Sinkeviciene
2020/0724/TPO	Jenny Skinner	1 Westfield Drive Appleton Roebuck York North Yorkshire YO23 7EG	Application for consent to clean out and reduce crown by approx 20% to improve health and safety of tree and lessen then likelihood of storm damage in the future to 1no Sycamore tree (T1) covered by TPO 8/1992 and to reduce down to approx 3.5m (10ft) from ground to draw away from telegraph pole and telephone lines to 1no Golden Leylandii (T2) within the conservation area	PERMITTED 7 Sep 2020	Will Smith
2020/0725/FUL	Helen Marshall	Maisy Moos Day Nursery Station Road Wistow Selby North Yorkshire YO8 3UZ	Erection of nursery classroom following demolition of existing garage	PERMITTED 11 Sep 2020	Rebecca Leggott
2020/0732/HPA	Mrs Lindsey Simpson	10 Beech Walk Tadcaster LS24 9TH	Erection of single storey extension to rear and side creating an enlarged kitchen diner	PERMITTED 8 Sep 2020	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0734/TPO	Mr & Mrs West	Oaklands 3 Dower Park Escrick York YO19 6JN	Application for consent to remove major deadwood throughout canopy, draw back overhang away from property by 1-2m for general light maintenance, lightly reshape lower canopy by 1-2m where applicable for aesthetics, no height reduction or large wounds, not altering the form or character of the specimen to 1No Oak (T1) covered by TPO 5/1984	PERMITTED 8 Sep 2020	Will Smith
2020/0736/TPO	Simon Haworth	1 Garrick Close Brayton Selby North Yorkshire YO8 9RL	Application for consent to crown reduction by 40% to 1no Oak (T7) and crown reduction by 30% to 1no Hornbeam (T8) and 6-8m crown reduction and elongated branches to 1no Poplar tree (G2) covered by TPO 3/1989	PERMITTED 16 Sep 2020	Will Smith
2020/0739/HPA	Mr Marcus Grant	22 Calcaria Road Tadcaster LS24 9HH	Demolition of conservatory and the erection of a single storey extension creating a sitting and utility room	PERMITTED 8 Sep 2020	Irma Sinkeviciene
2020/0748/HPA	Mr & Mrs Stephen Atkinson	15 Auster Bank Road Tadcaster LS24 8AX	Single storey rear extension	PERMITTED 10 Sep 2020	Irma Sinkeviciene
2020/0754/TCA	Mr Matthew Spencer	The Manor Main Street Saxton Tadcaster North Yorkshire LS24 9PY	Proposed felling of 1 No Cedar of Lebanon tree in the conservation area	PERMITTED 2 Sep 2020	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0758/TPO	Mr Ben Jenkins	Oakmere House The Green North Duffield Selby North Yorkshire YO8 5RF	Application for consent to crown reduce by 1m and crown lift by 5m to 1no Oak tree covered by TPO 2/1993	PERMITTED 16 Sep 2020	Jac Cruickshank
2020/0760/TPO	Sarah Jenkins	Holmwood Market Weighton Road W North Duffield Selby North Yorkshire YO8 5RN	Application for consent to reduce by 2m in height, crown thin by 15% and crown lift by 6m to 2no mature Chestnut trees covered by TPO 14/1988	PERMITTED 10 Sep 2020	Jac Cruickshank
2020/0761/TPO	Mr Ben Jenkins	8 High Trees Court Sherburn In Elmet North Yorkshire LS25 6AE	Application for consent to crown lift to 6m and crown thin by 5% to 2no Beech Trees covered by TPO 27/1986	PERMITTED 14 Sep 2020	Irma Sinkeviciene
2020/0774/HPA	Adam Baylin	17 The Haywain South Milford Leeds West Yorkshire LS25 5GE	Single storey rear extension	PERMITTED 15 Sep 2020	Bethany Harrison
2020/0778/TPO	Mr Jackson	Inholmes House 14 Inholmes Lane Tadcaster LS24 9JS	Application for consent to crown reduce and spread by approximately 1-2m and remove apical dieback to 1no Norway Maple (ID T3) covered by TPO 9/1988	PERMITTED 17 Sep 2020	Irma Sinkeviciene
2020/0843/TELB	EE Ltd	Mast 46m from The Bungalow Brackenhill Lane Brayton Selby North Yorkshire	Proposed swap the existing headframe, add 3 no. antennas, 3 no. AHEGB, 6 no RRHs, 6 No. Diplexers, 6 no. MHAs and 3 no. BOBS together with associated ancillary	TELECOMMUNICATIONS - NOT REQUIRED 2 Sep 2020	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0845/TCA	Mrs Barbara Waite	5 Manor Close Kirk Smeaton Pontefract West Yorkshire WF8 3LZ	Application for consent to fell 1no Cedrus Deodara tree within the conservation area	PERMITTED 17 Sep 2020	Irma Sinkeviciene
2020/0872/DOC	Dovecote Park Ltd	Dovecote Park Bankwood Road Stapleton Pontefract West Yorkshire WF8 3DD	Discharge of condition 10 (Travel Plan) of approval 2010/1301/FUL Application for extensions to the existing Dovecote Park complex, including a new car park and car park access	CONDITION DECISION 15 Sep 2020	Yvonne Naylor
2020/0886/MAN2	Mrs Natasha Rowland	17 Back Lane Bilbrough York YO23 3PL	Non material amendment of 2019/0406/HPA Proposed erection of a single storey side extension and first floor dormer roof extension to extend existing first floor bathroom and create an en-suite	PERMITTED 17 Sep 2020	Ryan King
2020/0892/MAN2	Mr David Whitehead	4 Station Cottages Main Road Temple Hirst Selby North Yorkshire YO8 8QL	Non material amendment of 2018/1386/HPA Proposed erection of 2 storey extension to rear and store and new bay window and porch to front	PERMITTED 14 Sep 2020	Gareth Stent
2020/0924/TNO2	Mr Andrew Burr	33 Abbeystone Way Monk Fryston Leeds West Yorkshire LS25 5NF	Five day notice to fell 1no Sycamore tree covered by TPO 4/2004	PERMITTED 2 Sep 2020	Will Smith

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0964/SCN	P3P Brigg Lane Ltd	P3P Energy Management Brigg Lane Camblesforth Selby North Yorkshire YO8 8HD	EIA screening request for a proposed development of two vertical farm buildings (VF3 and VF4)	EIA NOT REQUIRED 15 Sep 2020	Gary Bell

Annex

Glossary of Planning Terms

Community Infrastructure Levy (CIL):

The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.

Curtilage:

The curtilage is defined as the area of land attached to a building.

Environmental Impact Assessment (EIA):

Environmental impact assessment is the formal process used to predict the environmental consequences (positive or negative) of a plan, policy, program, or project prior to the decision to move forward with the proposed action. The requirements for, contents of and how a local planning should process an EIA is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

National Planning Policy Framework (NPPF):

The National Planning Policy Framework was published on 27 March 2012 and sets out Government planning policies for England and how these are expected to be applied.

Permitted Development (PD) Rights

Permitted development rights allow householders and a wide range of other parties to improve and extend their homes/ businesses and land without the need to seek a specific planning permission where that would be out of proportion with the impact of works carried out. Many garages, conservatories and extensions to dwellings constitute permitted development. This depends on their size and relationship to the boundaries of the property.

Previously Developed Land (PDL)

Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously developed land may occur in both built-up and rural settings.

Planning Practice Guidance (PPG)

The Planning Practice Guidance sets out Government planning guidance on a range of topics. It is available on line and is frequently updated.

Recreational Open Space (ROS)

Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure.

Section 106 Agreement

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They can be used to secure on-site and off-site affordable housing provision, recreational open space, health, highway improvements and community facilities.

Site of Importance for Nature Conservation

Site of Nature Conservation Interest (SNCI), Site of Importance for Nature Conservation (SINC) and regionally important geological sites (RIGS) are designations used by local authorities in England for sites of substantive local nature conservation and geological value.

Site of Special Scientific Interest (SSI)

Sites of special scientific interest (SSSIs) are protected by law to conserve their wildlife or geology. Natural England can identify and designate land as an SSSI. They are of national importance.

Scheduled Ancient Monument (SAM):

Ancient monuments are structures of special historic interest or significance, and range from earthworks to ruins to buried remains. Many of them are scheduled as nationally important archaeological sites. Applications for Scheduled Monument Consent (SMC) may be required by the Department for Culture, Media and Sport. It is an offence to damage a scheduled monument.

Supplementary Planning Document (SPD)

Supplementary Planning Documents are non-statutory planning documents prepared by the Council in consultation with the local community, for example the Affordable Housing SPD, Developer Contributions SPD.

Tree Preservation Order (TPO):

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the cutting down, topping, lopping, uprooting, wilful damage, wilful destruction of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed.

Village Design Statements (VDS)

A VDS is a document that describes the distinctive characteristics of the locality, and provides design guidance to influence future development and improve the physical qualities of the area.

Planning Committee 2020-21



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