



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 5 AUGUST 2020**
Time: **2.00 PM**
Venue: **MICROSOFT TEAMS LIVE EVENT - REMOTE**
To: **Councillors J Cattanach (Chair), I Chilvers, R Packham, P Welch, M Topping, K Ellis, D Mackay, M Jordan and J Mackman (Vice-Chair)**

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 - 4)

To confirm as a correct record the minutes of the Planning Committee meeting held on 8 July 2020.

5. Planning Applications Received (Pages 9 - 10)

- 5.1. 2020/0191/FUL - Jubilee Cottage, 13 Main Street, Thorganby (Pages 11 - 32)
- 5.2. 2020/0242/FUL - Manor House, Hull Road, Cliffe (Pages 33 - 52)
- 5.3. 2020/0376/FUL - Market Garden, Hull Road, Hemingbrough (Pages 53 - 84)

Janet Waggott

Janet Waggott, Chief Executive

Dates of next meeting (2.00pm)

Wednesday, 12 August 2020

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

This meeting will be streamed live online. To watch the meeting when it takes place, [click here](#) and then on the link under the section titled 'Media'.

Recording at Council Meetings

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 by emailing democraticservices@selby.gov.uk

Agenda Item 4



Minutes

Planning Committee

Venue: Microsoft Teams Live Event - Remote
Date: Wednesday, 8 July 2020
Time: 2.00 pm

Present remotely via Teams Live Events: Councillor J Cattanach in the Chair

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

Officers Present remotely via Teams Live Events: Martin Grainge – Head of Planning, Ruth Hardingam – Planning Development Manager, Gareth Stent – Principal Planning Officer, Glenn Sharpe – Solicitor, Victoria Foreman – Democratic Services Officer

Before the meeting business, the Chair welcomed attendees to the first remote and live-streamed meeting of the Planning Committee and asked all Committee Members and Officers to confirm their attendance.

The Chair reminded all participants that the meeting was being streamed live publicly and was accessible to a wide audience; as such, in accordance with usual practice at public meetings, the Chair asked for a respectful debate, and asked Members to remain muted unless invited to speak.

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DISCLOSURES OF INTEREST

All Councillors declared that they had received additional correspondence and representations in relation to agenda item 5.1 – Honeypot Field, Hillam Common Lane, Hillam.

The Solicitor clarified that the author of one of the received representations had requested that it remain anonymous, and not be uploaded onto the Council's planning portal for public inspection. As such, the Solicitor explained that no weight should be given to the anonymous representation, and that if Members felt that it had influenced their views on the application, they should not take part in the decision.

All Members confirmed that they remained open minded, and as such would participate in the debate and decision.

3 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair informed the Committee that an Officer Update Note had been circulated and could be viewed alongside the agenda on the Council's website. Members noted that any late representations that had been received on the application would be summarised by the Officer in their presentation.

4 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 4 March 2020.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 4 March 2020 for signing by the Chairman.

5 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following application:

5.1 2018/0657/FUL - HONEYPOT FIELD, HILLAM COMMON LANE, HILLAM

Application: 2018/0657/FUL

Location: Honeypot Field, Hillam Common Lane, Hillam

Proposal: Proposed erection of an agricultural storage barn

The Principal Planning Officer presented the application and accompanying report which had been brought before Committee as 11 letters of representation had been received which raised material planning considerations, and Officers would otherwise have determined the application contrary to these representations.

The Committee noted that the application was for the proposed erection of an agricultural storage barn.

An Officer Update Note had been circulated which set out additional representations that had been received since the publication of the report.

Members asked questions relating to a number of matters, including potential conditioned protection of the hedgerow near the proposed site for the building, and whether checks had been undertaken to ensure that the

use of the site was agricultural. Officers explained that ongoing activities on the site were being considered by Planning Enforcement, but that in terms of the current application, the site's use had been taken at face value by Officers.

The Committee also asked about screening of the site by trees and vegetation, which could be minimal in the winter months. Officers agreed that screening in the winter would be lessened, but that by virtue of the size of the proposed barn, it would have been difficult to screen it in most circumstances.

In response to some other Member questions, Officers confirmed that the site was relatively small and that the proposed barn would be open on one side, which would allow air circulation to the hay and straw storage facility and allow any water to drain through during potential future flood events.

The Committee debated the application, with some Members expressing the view that the site was adequately screened and that the visual impact was minimal, particularly as there were other large agricultural buildings nearby.

However, some Members felt that a site visit should be undertaken and was in the public interest for various reasons, such as the number of letters of objection received, the site's size, visibility and location within the Green Belt, identification of the activities taking place on the site and to provide Members with the opportunity to see it first-hand.

The Committee also emphasised the need for a wider assessment and verification of the activities on the site, as detailed by the applicant.

Some Members of the Committee did not agree that a site visit was needed and felt that the proposal sat within the landscape appropriately. It was suggested that potential impacts on the green belt could be mitigated, and that the Officer report was detailed enough for a decision to be taken on the matter at the meeting.

It was proposed and seconded on the Officer recommendation as set out in the report that the application be granted; a vote was taken on the proposal and was lost.

It was proposed and seconded that determination of the application be deferred in order for a site visit to be undertaken; a vote was taken on the proposal and was carried.

RESOLVED:

To DEFER determination of the application in order for a site visit to be undertaken by the Committee.

6 PLANNING DECISIONS MADE UNDER URGENCY DUE TO COVID-19

Members were presented with details of details of the planning decisions taken by the Chief Executive and Head of Planning under urgency procedures between 1 April 2020 and 24 June 2020 due to the Coronavirus lockdown.

Members asked for an update on application 2019/0030/COU - Milford Caravan Park, Great North Road, which had been referred to the Secretary of State. Officers confirmed that it had not been called in by the Secretary of State and as such the application had been granted through delegated powers to the Planning Development Manager.

RESOLVED:

To note the planning decisions taken under urgency between 1 April 2020 and 24 June 2020 due to the Coronavirus lockdown.

The meeting closed at 2.51 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. 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 members of the committee will then debate the application, consider the recommendations and then make a decision on the application.
6. 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.
7. 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.
8. This is a council committee meeting which is viewable online as a remote meeting to the public.

9. 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
10. The arrangements at the meeting may be varied at the discretion of the Chairman.
11. For the time being, the Code of Practice for Dealing with Planning Matters is modified so that the public speaking scheme will not apply to Remote Meetings. This is due to the need to manage the duration and security of the meetings. Instead, written representations on planning applications can 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.
12. 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.
13. 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>
14. 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?Committeeld=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.
15. 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.
16. These procedures are being regularly reviewed as we start to operate in this way and will include reviewing the feasibility of introducing public speaking at the Remote Meetings in the future.

Contact:

Democratic Services
Email: democraticservices@selby.gov.uk

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Agenda Item 5

Items for Planning Committee

5 August 2020

Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2020/0191/FUL	Jubilee Cottage, 13 Main Street, Thorganby	Construction of 1 No. dwelling on land to the rear of Jubilee Cottage	GABE	11-32
5.2	2020/0242/FUL	Manor House, Hull Road, Cliffe	Proposed conversion of domestic garage/store and stables to dwelling	RELE	33-52
5.3	2020/0376/FUL	Market Garden, Hull Road, Hemingbrough	Conversion of redundant building to form residential dwelling	CHFA	53-86

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Agenda Item 5.1



APPLICATION SITE

Jubilee Cottage, 13 Main Street, Thorganby
2020/0191/FUL

1:1,250



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- Notes:
1. All coursework shown indicative only.
 2. This drawing is for Planning Application purposes only.
 3. All dimensions to be confirmed by builder during setting out, prior to construction.
 4. All brickwork opening sizes to be verified with window and door dimensions. Builder to allow for fit up tolerances.
 5. Do not scale off this drawing.
 6. All boundaries shown have been assumed from site visit. Refer to Title Deeds for true boundary information.

C	24.02.20	Planning Application resubmitted
B	06.11.18	Visibility Splays added
A	05.10.18	Boundary line removed
Rev	Date	Description

Drawings prepared by: Kevin Bristowe

S I Z E T E C

Technical Design Ltd.

36 Top Lane, Copmanthorpe, York YO23 3UJ
 Tel: 01904 709023
 Mob: 07753 607230
 email: info@sizefec.co.uk

PLANNING APPLICATION

Existing Arrangement

New build dwelling to rear of, Jubilee Cottage, 13 Main Street, Thorganby, York YO19 6DB for Mr Chris Garland

Scale 1:200	Checked By:	
Drawing No.	JUB/001	Rev C

Existing Site Plan
Scale 1:200

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Report Reference Number: 2020/0191/FUL

To: Planning Committee
Date: 5 August 2020
Author: Gary Bell (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0191/FUL	PARISH:	Thorganby Parish Council
APPLICANT:	Mr Chris Garland	VALID DATE:	28th February 2020
		EXPIRY DATE:	30th June 2020
PROPOSAL:	Construction of 1 No. dwelling on land to the rear of Jubilee Cottage		
LOCATION:	Jubilee Cottage 13 Main Street Thorganby York North Yorkshire YO19 6DB		
RECOMMENDATION:	REFUSAL		

This application has been brought before Members of the Planning Committee at the discretion of the Head of Planning.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located within the development limits of Thorganby, which is identified as a Secondary Village in the Core Strategy and lies within the Thorganby Conservation Area.
- 1.2 The application site comprises part of the garden to Jubilee Cottage. The existing dwelling, together with its immediate attached neighbour, is set back approximately 44 metres from Main Street.

The Proposal

- 1.3 Permission is sought for the erection of a two-storey dwelling. The proposed dwelling will be set approximately 60 metres to the rear of Main Street. Whilst located to the rear, the proposed dwelling will not be directly behind Jubilee Cottage and therefore, from the street, the front of the proposed dwelling will be visible to the side of Jubilee Cottage. The dwelling is traditional in design, featuring a gabled projection to the front, and would be constructed from brick with a natural clay pantile roof, both described on the application form as “to match existing”.
- 1.4 Access to the dwelling will be via the existing driveway to Jubilee Cottage. Visibility splays of 30.5 metres to the north and 43 metres to the south are shown on the submitted plans albeit crossing land outside the control of the applicant. As a result, the applicant has submitted a revised ownership certificate (Certificate B) and served notice on the owner of the neighbouring property.
- 1.5 The proposed development is identical to that refused by Planning Committee in November 2019 (2018/1139/FUL) with the exception of the siting of the dwelling within the application site which has been moved back towards the rear boundary by 1 metre.

Relevant Planning History

- 1.6 The following historical applications are considered to be relevant to the determination of this application;

2018/1139/FUL: Proposed construction of 1 No. dwelling on land to the rear of Jubilee Cottage, 13 Main Street, Thorganby, York, North Yorkshire, YO19 6DB: REF, 08-NOV-19 for the following reasons;

- 01 The site lies within the development limits of a secondary village which is a less sustainable location. The proposed development would result in backland development to the rear of other properties, and would not constitute the ‘filling of a small linear gap in an otherwise built up frontage’, or any of the other categories of development identified as acceptable in Secondary Villages in Policy SP4(a). The development is therefore contrary to Policy SP4 (a) and consequently Policy SP2A(b), of the Core Strategy.
- 02 The development is out of keeping with the character of the village by increasing the depth of built form. Furthermore, having regard to the Duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is not considered that the development will preserve or enhance the character or appearance of Thorganby Conservation Area. This is by virtue of the relationship of the dwelling with surrounding properties that is out of keeping with the urban grain of the area. It is not considered that the public benefits associated with the erection of the dwelling would outweigh the harm identified. As such the development is contrary to Policies SP19 of the Core Strategy, and Policy ENV25 of the Selby District Local Plan and section 16 of the NPPF.
- 03 The poor juxtaposition between the proposed dwelling and Jubilee Cottage would result in harm to the amenities of future and existing occupiers. As such the development is contrary to Policy ENV1 of the Selby District Local Plan and Section 12 of the NPPF.

The above application is now the subject of an appeal (APP/N2739/W/20/3250729).

2015/0816/OUT: Outline planning application for construction of 1no. new dwelling on land to the rear of Jubilee Cottage,13 Main Street, Thorganby, York, North Yorkshire, YO19 6DB: PER, 13-NOV-15

2007/1353/FUL: Amendment to approved application 8/12/114/PA (2007/1353/FUL) for the erection of a two-storey extension to the side and rear (roof height to be increased from that approved): Jubilee Cottage,13 Main Street, Thorganby, York, North Yorkshire, YO19 6DB: PER, 27-DEC-07

2007/0671/FUL: Erection of a two-storey extension to the side and rear and a double garage with office/ancillary accommodation: Jubilee Cottage,13 Main Street, Thorganby, York, North Yorkshire, YO19 6DB: PER, 16-AUG-07

2. CONSULTATION AND PUBLICITY

2.1 Conservation Officer - No comments received at the time of writing the report.

NYCC Highways - There are no local Highway Authority objections to the proposed development. It is noted that there has been a number of applications at this site and a reduction in the northern visibility splay was previously deemed acceptable. In response to initial concerns, the applicant has shown on site turning for vehicles associated with both the existing and proposed dwellings. It is recommended that conditions are applied in respect of the provision of visibility splays and vehicle access, parking, manoeuvring and turning areas together with an Informative regarding mud on the highway.

Yorkshire Water Services Ltd - No objections to the proposed development however, the site shall be developed with separate systems of drainage for foul and surface water on and off site. Conditions are recommended requiring details of proposals for the discharge of both foul and surface water.

Ouse & Derwent Internal Drainage Board - This application sits within the Drainage Board's district. The Board has assets in the wider area in the form of Habb Lane Drain. This watercourse is known to be subject to high flows during storm events. Firstly, the Board would remind the applicant that under the Land Drainage Act 1991 and the Boards' byelaws, the Board's prior written consent (outside of the planning process) is needed for; any connection into a Board maintained watercourse, or any ordinary watercourse in the Board's district; any discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse in the Board's district; works within or over a Board maintained watercourse, or any ordinary watercourse in the Board's district. With regard to Surface Water, the Board has reviewed the Drainage Statement and recommends that soakaways are first considered in accordance with the Planning Practice Guidance hierarchy for the management of surface water and sets out a number of relevant criteria. If this approach proves unsatisfactory and the applicant proceeds by way of connecting into the mains sewer, the Board asks that the applicant notes that this then discharges into the Board's maintained watercourse, Habb Lane Drain. The Board then advises on discharge rates and flow control that would be considered appropriate and seeks further information with regard to the proposed surface water storage system and evidence of storage calculations. With

regard to Foul Sewage, the Board notes that the applicant is proposing to connect into the mains sewer or use a package treatment plant or septic tank and provides comment on each of these options. Accordingly, the Board recommends a condition requiring details of a scheme for the provision of surface water drainage works to be approved and implemented before the development is brought into use.

Contaminated Land Consultant - The submitted Screening Assessment Form shows that the site is part of a domestic garden for the nearby residential dwelling. No past industrial activities, fuel storage or waste disposal activities have been identified onsite or nearby. The Form does not identify any significant potential contaminant sources, so no further investigation or remediation work is required. However, a condition is recommended in case unexpected contamination is detected during the development works.

Parish Council - Strongly object to the above planning application for the following reasons:

- 1) The previous application 2018/1139/FUL was refused by SDC for the following reasons and these still stand therefore the application should be refused:

The site lies within the development limits of a secondary village which is a less sustainable location. The proposed development would result in backland development to the rear of other properties, and would not constitute the 'filling of a small linear gap in an otherwise built up frontage', or any of the other categories of development identified as acceptable in Secondary Villages in Policy SP4(a). The development is therefore contrary to Policy SP4 (a) and consequently Policy SP2A(b), of the Core Strategy.

The development is out of keeping with the character of the village by increasing the depth of built form. Furthermore, having regard to the Duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is not considered that the development will preserve or enhance the character or appearance of Thorganby Conservation Area. This is by virtue of the relationship of the dwelling with surrounding properties that is out of keeping with the urban grain of the area. It is not considered that the public benefits associated with the erection of the dwelling would outweigh the harm identified. As such the development is contrary to Policies SP19 of the Core Strategy, and Policy ENV25 of the Selby District Local Plan and section 16 of the NPPF.

- 2) Foul sewage is to be connected to the main sewer which Yorkshire Water openly admit is already over capacity.
- 3) This site was not identified by SDC as an area of possible development within the village, nor is it an area denoted on the Brownfield Sites Register.
- 4) The site is not sympathetic to the local character and the surrounding developed environment (para 127(c) - NPPF)
- 5) Any decision should take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens - para 122(d) – NPPF)
- 6) A recent planning application 2020/0197/FUL has been refused by SDC as it would lead to substantial harm to the significance of a designated heritage asset,

namely the Thorganby Conservation Area and the above application would also fall into this category.

- 2.2 **Neighbour representations** - The application was publicised by site and press notices and direct notification of nearby residents resulting in one letter of representation being received from a neighbouring property stating that the occupier has no objection to the proposal.

3 **SITE CONSTRAINTS**

Constraints

- 3.1 The application site is located within the development limits for Thorganby and is within Thorganby Conservation Area. It lies within Flood Zone 1, which has a low probability of flooding. The site does not contain any protected trees and there are no statutory or local landscape designations. Whilst it does not lie in an area protected for nature conservation it is within the vicinity of the Lower Derwent Valley Special Protection Area, Special Area of Conservation, and Derwent Ings SSSI which lie across the road to the south east.

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 (CS)

4.6 The relevant CS Policies are:

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy
SP4 - Management of Residential Development in Settlements
SP9 - Affordable Housing
SP15 - Sustainable Development and Climate Change
SP16 - Improving Resource Efficiency
SP18 - Protecting and Enhancing the Environment
SP19 - Design Quality

Selby District Local Plan (SDLP)

4.7 The relevant SDLP Policies are:

ENV1 - Control of Development
ENV2 - Environmental Pollution and Contaminated Land
ENV25 - Development in Conservation Areas
T1 - Development in Relation to the Highway Network
T2 - Access to Roads

5 APPRAISAL

5.1 The main issues to be considered when assessing this application are:

- The Principle of the Development
- Impact on Heritage Assets
- Design and Impact on the Appearance of the Area
- Impact on Residential Amenity
- Flood Risk and Drainage
- Impact on Highway Safety
- Nature Conservation and Protected Species
- Affordable Housing

The Principle of the Development

5.2 CS Policy SP1 states 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. Paragraph 12 of the NPPF re-emphasises that the Development Plan is the statutory starting point for decision making, adding that where a planning application conflicts with an up-to-date Development Plan permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- 5.3 The application site lies within the development limits of Thorganby which is identified as Secondary Village within the Core Strategy. Secondary Villages are described as “less sustainable or else have no opportunities for continued growth owing to a combination of flood risk and environmental constraints”. Planned growth is not considered to be appropriate although “some housing” may be permitted in defined circumstances. CS Policy SP2A(b) states that ‘Limited amounts of residential development may be absorbed inside Development Limits of Secondary Villages where it will enhance or maintain the vitality of rural communities and which conforms to the provisions of Policy SP4 and Policy SP10.
- 5.4 Reference to Policy SP10 relates to Rural Housing Exception sites, and from the commentary that accompanies Policy SP2, it is not intended that all housing that complies within the criteria in Policy SP4 should be limited to ‘rural affordable housing’. Policy SP4 a) states that the following type of development will be acceptable:
- “In Secondary Villages - conversions, replacement dwellings, redevelopment of previously developed land, filling of small linear gaps in otherwise built up residential frontages, and conversions/redevelopment of farmsteads.”
- 5.5 The commentary to Policy SP4 states that it provides “greater clarity about the way proposals for development on non-allocated sites will be managed, by identifying the types of residential development that will be acceptable in different settlement types”. The proposed development is clearly not a conversion or a replacement dwelling and, as the site is part of the garden to Jubilee Cottage, the land is not classed as previously developed. The application site is to the side of Jubilee Cottage, with the proposed dwelling set back behind the rear elevation of the existing house, some considerable distance from Main Street. This would result in a dwelling to the rear of existing properties and would not constitute “the filling of a small linear gap in an otherwise built up residential frontage”. The relevant frontage, in this instance, is considered as being defined by the houses to the north-east and south-west of the access to Jubilee Cottage which face Main Street and are set back between 9 and 14 metres from the road. Finally, the proposal does not involve development of a farmstead. Therefore it follows that the development does not fall within any of the categories of development identified as acceptable in Secondary Villages in Policy SP4 a) and is therefore contrary to both Policy SP4 a) and Policy SP2A (b) of the Core Strategy.

Impact on Heritage Assets

- 5.6 The site lies within Thorganby Conservation Area. Paragraph 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 includes a general duty that “special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area”. Relevant policies in respect to the impact of development in conservation areas include SDLP Policy ENV25, CS Policies SP18 and SP19 and chapter 16 of the NPPF.
- 5.7 The character of the village is mainly derived from its predominantly linear layout and the brick materials used in its buildings. Whilst in places there is no strong building line, with some housing set close to the back of the highway and others with a generous front garden, the linear nature of the village and the grouping of buildings as one passes through the village has been described as ‘three beads on a string’. The NPPF, at paragraph 189, requires that applicants describe the significance of any heritage asset affected. A short Heritage Statement submitted

with the application concludes that the development will not impact on any listed buildings or areas of archaeological sensitivity and that the proposal has taken account of the character of Thorganby Conservation Area.

- 5.8 Notwithstanding the assertion made in the submitted Heritage Statement, the location of Jubilee Cottage and the attached neighbouring dwelling, being set back from Main Street, is at odds with the strong linear character of the village. It is considered that the proposal, by virtue of its location, would have a harmful impact on the character and form of the village by introducing a further property set well away from Main Street. This harm amounts to less than substantial harm to the heritage asset.
- 5.9 Having regard to the duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements of relevant development plan policies it is considered that the development will not preserve the character and appearance of the Conservation Area and will result in less than substantial harm to the significance of the heritage asset. In such circumstances, paragraph 196 of the NPPF states that harm should “be weighed against the public benefits of the proposal”. It is not considered that any public benefit arising from the provision of a single dwelling is sufficient to outweigh the harm arising. It is considered therefore that the proposal is contrary to the requirements of CS policies SP18 and SP19, SDLP Policy ENV25 and chapter 16 of the NPPF.

Design and Impact on the Appearance of the Area

- 5.10 During consideration of the previous application (2018/1139/FUL), officers raised concern that the design of the dwelling was inappropriate and out of keeping with this part of the conservation area. This original design included an overly large front extension together with a hipped roof. Following discussions with officers, revised plans were received that reduced the length of the front extension, revised the design to a gable to accord with the immediate neighbouring dwellings, and showed a traditional wet verge, reclaimed bricks and traditional window proportions. The plans submitted with the current application have repeated the revised design which is considered to result in a dwelling that relates well in terms of scale, proportion and detailing to the surrounding properties found in the area.
- 5.11 It is therefore concluded that the dwelling will result in a good design that respects the character of the area and as such the proposal accords with SDLP Policy ENV1(1) and (4), CS Policy SP19 and chapter 12 of the NPPF in relation to achieving well designed places.

Impact on Residential Amenity

- 5.12 The proposed dwelling, being located in part of the existing garden of Jubilee Cottage and set back behind its rear elevation, will inevitably impact on the existing amenities of the occupiers of Jubilee Cottage. Both properties would be provided with adequate rear gardens in terms of area. However, the rear and side elevations of Jubilee Cottage contain numerous windows at both ground and first floor levels serving primary living rooms and bedrooms. The front elevation of the proposed house has 2 windows at first floor level serving a landing and a bedroom and the side elevation facing over the garden of Jubilee Cottage contains a further window to the bedroom together with a ground floor window to a store. Consequently, whilst some of the views afforded will be at more oblique angles, overlooking of the rear garden of Jubilee Cottage and the inter-visibility between windows will result in

harm to the amenity of current and future occupants by reason of overlooking and loss of privacy.

- 5.13 It is considered that overshadowing of Jubilee Cottage will be limited due to the location of the proposed dwelling which is to the north-west of the existing house. However, by virtue of the same location in close proximity to the common boundary, the side elevation of the proposed dwelling will appear overbearing from the garden of Jubilee Cottage and the proposed dwelling will appear visually prominent resulting in harm to the outlook from Jubilee Cottage.
- 5.14 There will be vehicular movements associated with the proposed dwelling in close proximity to Jubilee Cottage but given the scale of the development it is not considered that this will have a significant adverse impact. Turning of vehicles for both properties will require a degree of mutual cooperation between the occupiers of the two dwellings given the somewhat constrained area available at the head of the access drive.
- 5.15 In relation to the likely impact of the proposed dwelling on other neighbouring properties, the relationship and orientation in relation to 14 Main Street is such that any impact will be negligible. Furthermore, there is a separation distance of approximately 40 metres between the front of the proposed dwelling and the rear of the nearest neighbour to the south east, The Old Vicarage, and as such there will be little impact on their existing amenities. Whilst vehicle movements on the access track which runs immediately to the side of The Old Vicarage will increase, the additional impact of such movements is not considered to be so significant as to warrant a reason for refusal given the track already serves Jubilee Cottage.
- 5.16 It is therefore considered that, given the location of the proposed dwelling and the resulting juxtaposition with Jubilee Cottage, the proposed development will have an adverse impact on the residential amenity of the applicant's existing dwelling. As such, the application is contrary to the requirements of SDLP Policy ENV1 (1) and chapter 12 of the NPPF.

Flood Risk and Drainage

- 5.17 The submitted plan shows that foul water will discharge to a sewage treatment tank or septic tank, with surface water to an attenuation tank or a soakaway. Yorkshire Water have advised that they consider the drainage proposals to be generally acceptable albeit they clarify that the public sewer network serving Thorganby is vacuum driven and capacity is limited. Conditions are recommended requiring details of separate drainage systems to be agreed prior to any development should permission be granted. The Internal Drainage Board has provided comments regarding various ways in which surface water could be discharged, preferring soakaway, and recommends a condition requiring details to be agreed prior to any development.
- 5.18 In terms of flood risk, the site lies within Flood Zone 1 which has a low probability of flooding and no concerns arise as a result of the development proposed. Therefore having had regard to Policy SP15 (B) it is considered that, subject to appropriately worded planning conditions, the proposal is acceptable.

Impact on Highway Safety

- 5.19 The proposed development will utilise the existing access to Jubilee Cottage. The access is considered to be wide enough to accommodate vehicular movements associated with both properties. The submitted plans originally indicated the provision of two parking spaces to the front of the proposed dwelling. During consideration of the application, the Highway Officer requested details of vehicle turning for both the proposed and the existing dwellings. Accordingly, the applicant submitted a revised plan to which the Highway Officer raised no objection. Whilst the available visibility splays would pass over land that is not in the applicant's control, appropriate notice has been served on the relevant landowner. The northern visibility splay is less than normally required but has previously been accepted by the Highway Authority and there is no Highway Authority objection subject to conditions. Should permission be granted however, it would be necessary to protect the splay through a legal agreement.
- 5.20 Subject to appropriately worded conditions and the completion of a legal agreement, it is considered that the proposal would not result in a detrimental impact on highway safety in accordance with SDLP policies ENV1 (2), T1 and T2, CS Policy SP19 and the advice contained within the NPPF.

Nature Conservation and Protected Species

- 5.21 The site does not lie within a protected area for ecology. Nevertheless, it is within proximity of a number of European designated sites which are afforded protection under the Conservation of Habitats and Species Regulations 2017. This includes the Lower Derwent Valley Special Protection Area, the Lower Derwent Valley SAC and Skipwith Common Special Area of Conservation. The Lower Derwent Valley SAC and SPA are also listed as the Lower Derwent Valley Ramsar site and is notified at a national level as Derwent Ings and the River Derwent Sites of Special Scientific Interest. Under Article 6(3) of the Habitats Directive (92/43/EEC), an appropriate assessment is required where a proposed development is likely to have a significant effect upon a European site. Regulations 61 and 62 of the Habitat Regulations relate to the assessment of proposals in proximity of European designated sites. The stages of the Habitat Regulations Assessment are sequential and it is only necessary to proceed to the next stage if likely significant effects cannot be ruled out. The application has previously been screened on this basis, taking account of the location of this site and the nature and scale of the proposed development in relation to the Lower Derwent Valley Special Protection Area, Special Area of Conservation, Ramsar site and component Sites of Special Scientific Interest. Taking account both of direct impact and indirect effects (e.g. noise, lighting, dust) it is not considered that there will be any significant adverse effects on the features for which the Lower Derwent Valley is designated. As no likely significant effect is expected, no further assessment is required. Foul water discharge should be of a sufficient standard so as not to impair surface water quality in any receiving watercourse.
- 5.22 Mature hedgerow trees exist on the north-eastern boundary of the plot. In considering the previous, very similar application, the County Ecologist considered that the trees could be used by bats and Barn Owls and any significant cut back should not occur until appropriate surveys had been undertaken. However, the applicant advised that any work would take place outside the bird nesting season and tree protection would be carried out. On that basis it was considered that suitably worded planning conditions and an informative would adequately protect ecology interests. The applicant has again confirmed that the trees are to be retained and only lightly trimmed. It is still considered that appropriate conditions

(including for the provision of Owl/bat boxes as a means of providing for biodiversity enhancement) and informatives could be attached to any grant of planning permission such that the proposal could be considered to be in accordance with CS Policy SP18 3(b) and (c), and paragraphs 170 and 175 of the NPPF.

Affordable Housing

- 5.23 CS Policy SP9 and the accompanying Affordable Housing SPD sets out the affordable housing policy context for the District. Policy SP9 outlines that for schemes of less than 10 units or less than 0.3ha a fixed sum will be sought to provide affordable housing within the District. However, the subsequent publication of the NPPF 2018 and 2019 is a material consideration. The NPPF states in paragraph 63 “Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)”. In the light of this it is not considered that affordable housing contributions should be sought on this application.

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 proposal is unacceptable in principle being contrary to CS policies SP2 and SP4. Furthermore, it is considered that the proposal will harm the character and appearance of the Thorganby Conservation Area such that the proposal is also considered to be contrary to the requirements of CS policies SP18 and SP19, SDLP Policy ENV25 and chapter 16 of the NPPF. Finally, given the location of the proposed dwelling and the resulting relationship with Jubilee Cottage, the proposed development will have an adverse impact on the residential amenity of both the existing and proposed dwellings. As such, the application is contrary to the requirements of SDLP Policy ENV1 (1) and chapter 12 of the NPPF.
- 6.2 The proposal is considered to be acceptable in respect of detailed design, flood risk, drainage, highway safety, nature conservation and affordable housing but this does not outweigh the conflict with development plan policies regarding the principle of development and the identified harm to both heritage and residential amenity.

7 RECOMMENDATION

This application is recommended to be REFUSED for the following reasons;

1. The site lies within the development limits of a secondary village which is a less sustainable location. The proposed development would result in backland development to the rear of other properties, and would not constitute the ‘filling of a small linear gap in an otherwise built up frontage’, or any of the other categories of development identified as acceptable in Secondary Villages in Policy SP4(a). The development is therefore contrary to Policy SP4 (a) and consequently Policy SP2A(b), of the Core Strategy.
2. The development is out of keeping with the character of the village by increasing the depth of built form. Furthermore, having regard to the Duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is not considered that the development will preserve or enhance the character or

appearance of Thorganby Conservation Area. This is by virtue of the relationship of the dwelling with surrounding properties that is out of keeping with the urban grain of the area. It is not considered that the public benefits associated with the erection of the dwelling would outweigh the harm identified. As such the development is contrary to Policies SP18 and SP19 of the Core Strategy, Policy ENV25 of the Selby District Local Plan and chapter 16 of the NPPF.

3. The poor juxtaposition between the proposed dwelling and Jubilee Cottage would result in harm to the amenities of future and existing occupiers by reason of overlooking, loss of privacy and overbearing. As such the development is contrary to Policy ENV1 of the Selby District Local Plan and chapter 12 of the NPPF.

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 2020/0191/FUL and associated documents.

Contact Officer:

Gary Bell (Principal Planning Officer)

gbell@selby.gov.uk

Appendices: Appendix 1 – Site Images

Appendix 1 – Site Images

APPLICATION NUMBER:	2020/0191/FUL	PARISH:	Thorganby Parish Council
APPLICANT:	Mr Chris Garland	VALID DATE: EXPIRY DATE:	28th February 2020 30th June 2020
PROPOSAL:	Construction of 1 No. dwelling on land to the rear of Jubilee Cottage		
LOCATION:	Jubilee Cottage 13 Main Street Thorganby York North Yorkshire YO19 6DB		



Aerial view of the site/context



Site entrance/access from Main Street



Access track leading to site looking north-west



Jubilee Cottage with view of application site to side



Side elevation of Jubilee Cottage

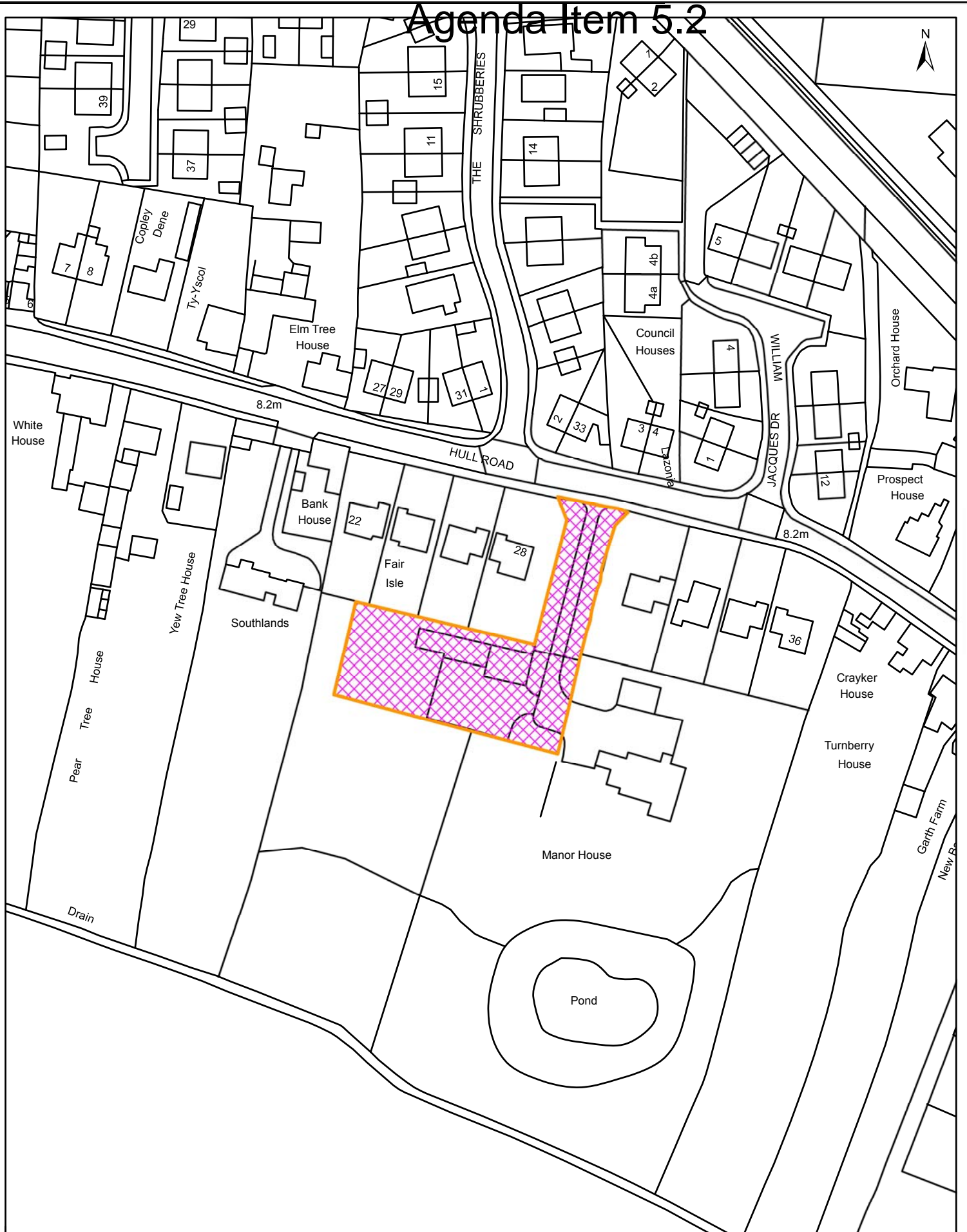


View of application site (currently part of garden to Jubilee Cottage) looking north-west



View looking east across garden of Jubilee Cottage

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APPLICATION SITE

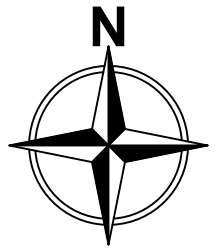
2020/0242/FUL

Manor House, Hull Road, Cliffe

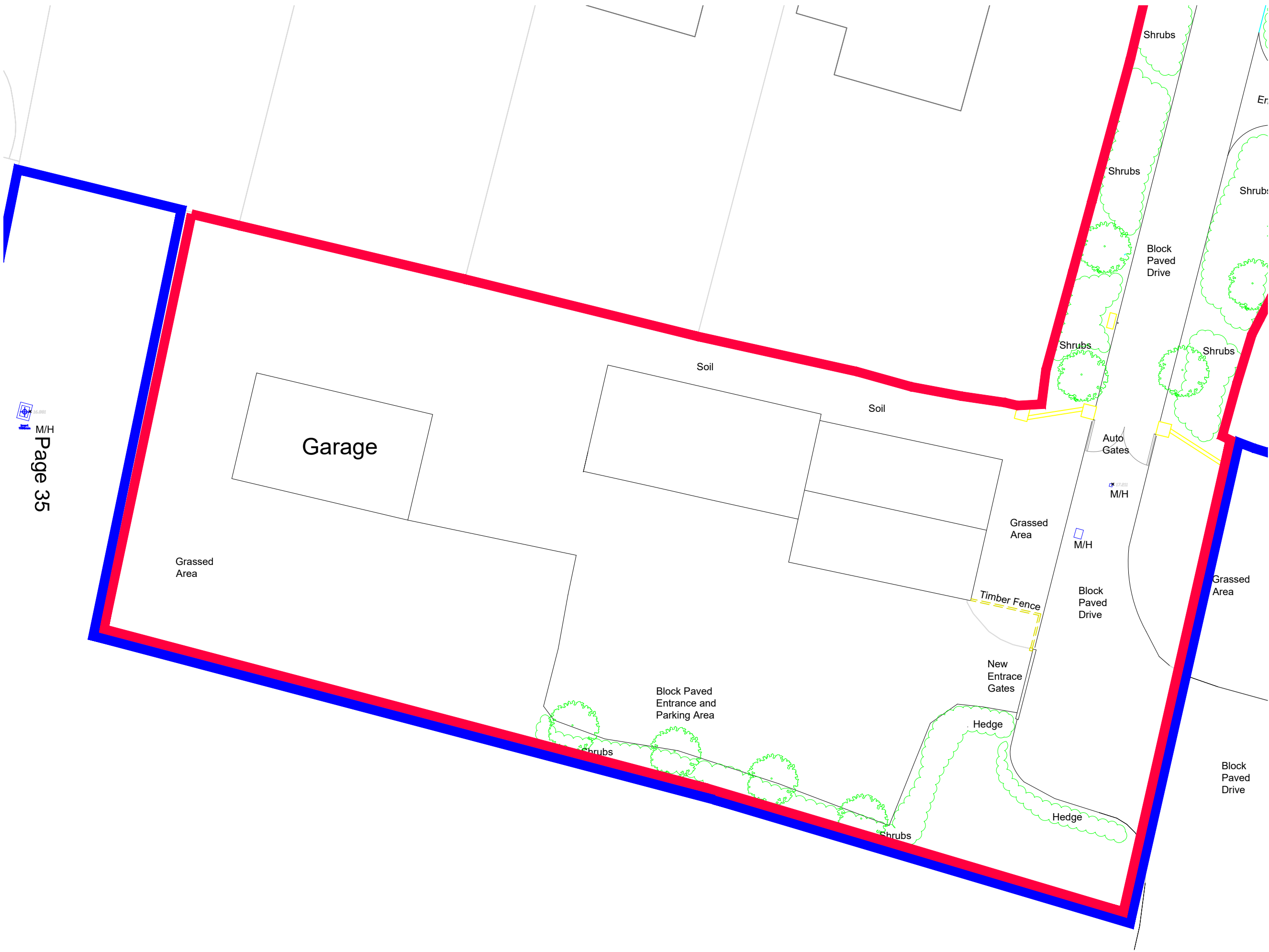
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Compass Note:
Geographical orientation indicated is for indicative purposes only.



M/H Page 35

revision	date	description

project
Mr A Pulleyne
Manor House, Hull Road Cliffe.

drawing
Proposed Block Plan

scale
1:200 @ A3

job number	date	status	drawing number	revision
09/19	08.09.19	Planning	113	P

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Report Reference Number: 2020/0242/FUL

To: Planning Committee
Date: 5 August 2020
Author: Rebecca Leggott (Senior Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0242/FUL	PARISH:	Cliffe Parish Council
APPLICANT:	Mr A Pulleyne	VALID DATE:	31st March 2020
		EXPIRY DATE:	26th May 2020
PROPOSAL:	Proposed conversion of domestic garage/store and stables to dwelling		
LOCATION:	Manor House Hull Road Cliffe Selby North Yorkshire YO8 6NH		
RECOMMENDATION:	APPROVE		

This application has been brought before Planning Committee as the proposal is contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan) but it is considered there are material considerations which would justify approval of the application.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site is located just outside the defined development limits of Cliffe and therefore located within the open countryside.
- 1.2 The application site forms part of the curtilage to Manor House and consists of a brick built outbuilding, stables and a garage that were permitted in 1995. The site is accessed from Hull Road via a gated private drive that also serves Manor House, which is also owned by the applicant (within the blue line).

The Proposal

- 1.3 The proposals are for the conversion of domestic garage/store and stables to form a dwelling.

Relevant Planning History

- 1.4 The following historical application is considered to be relevant to the determination of this application.
- CO/1984/0342, Erection of a dwelling. Decision: PER, Decision Date: 13-JUN-84.
 - CO/1984/0343, Proposed change of house type from one 4-bedroom dormer bungalow to one 5-bedroom house, garage and associated Decision: PER, Decision Date: 25-SEP-84.
 - CO/1976/04792, Details Of Erection Of Detached Bungalow, Decision: PER, Decision Date: 25-AUG-76.
 - CO/1995/0378, Proposed erection of a detached building to provide garage, store and washroom facilities Decision: PER, Decision Date: 14-SEP-95.
 - CO/1981/04794, Renewal Of Application For A Detached Bungalow, Decision: PER, Decision Date: 15-APR-81.

2. CONSULTATION AND PUBLICITY

- 2.1. **Land Use Planning Yorkshire Water Services Ltd** – Yorkshire Water have raised no objections to the proposed development.

2.2. **NYCC Highways Canal Rd** – NYCC Highways have raised no objections to the proposed development subject to the following conditions: (1) Altered Private Access and Verge Crossing, (2) Provision of Approved Access, Turning and Parking Areas.

2.3. **The Ouse & Derwent Internal Drainage Board** – The IDB have raised no objections to the proposed development subject to a condition relating Effective Soakaways. Further to this a number of standard conditions have been suggested, (1) Maintenance Responsibility – General and (2) Consent – Discharge.

2.4. **Contaminated Land Consultant** – The Contaminated Land Consultant has raised no objections subject to a standard condition relating to the reporting of unexpected contamination.

2.5. **Parish Council** – Cliffe Parish Council have raised no objections to the proposed development.

2.6. **Neighbour Summary** - All immediate neighbours were informed by letter and a site notice was erected. Resulting in no letters of objection being received.

2.7. **NYCC Ecology** – NYCC Ecology have raised no objections to the proposed development subject to an informative relating to nesting season.

3. SITE CONSTRAINTS

Constraints

3.1. The application site is located outside the defined development limits of Cliffe and therefore is located within open countryside. The application site is located within Flood Zone 1, which has a low probability 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 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
- SP19 - Design Quality

- SP15 - Sustainable Development and Climate Change
- SP16 - Improving Resource Efficiency
- 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.
- ENV2 – Pollution and contaminated land
- T1 - Development in Relation to Highway
- T2 - Access to Roads
- H12 – Conversion to residential use in the countryside

5. APPRAISAL

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

- Principle of the Development
- Conversion to Residential Use in the Open Countryside
- Impact upon Residential Amenity
- Flood Risk and Drainage
- Contamination
- Nature Conservation and Protected Species
- Affordable Housing

The Principle of Development

5.2. The application site lies to the west but within the curtilage of Manor House, which was established by a 1984 permission. This involved the construction of a large dwelling, private drive and extended curtilage. The buildings which are the subject of the planning permission were given consent in 1995.

5.3. The application site lies outside the development limit for Cliffe, with Manor House and its immediate curtilage lying within the development limit. The application site, whilst being domestic in nature is therefore within the countryside. The applicant describes the buildings as no longer being needed as the applicant's family have grown up and no longer need such a substantial family house. The intention is to downsize by converting these former ancillary buildings.

5.4. The principle of the re-use of rural buildings for residential use is supported by Core Strategy Policy SP2 and its commentary (para 4.31). Policy SP2A (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, and well-designed new buildings of an appropriate scale, 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 meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances.”*

5.5. The re-use of redundant or disused buildings is seen as an exception to avoiding isolated new homes and the commentary to the policy includes that it would lead to an

enhancement to the immediate setting. Policy SP2 (c) qualifies the re-use as 'preferably for employment purposes'. However, paragraph 79 of the NPPF has no such qualification and allows for residential conversions if the development would re-use redundant or disused buildings and enhance its immediate setting.

Conversion to Residential Use in the Open Countryside

- 5.6. The principal tests in SDLP Policy H12 of relevance here are summarised below together with Officer comments.
- 5.7. In respect of criterion one, "*Unsuited for business use*" a lack of information has been submitted in order to demonstrate that the building is unsuitable for business use. Though it is noted that Policy H12 (1) of the Selby District Local Plan requires that the conversion of rural buildings to residential use in the open countryside will only be permitted where (amongst other criteria) it can be demonstrated that the building or its location is unsuited to business use or there is no demand for buildings for those purposes in the immediate locality. It is noted that, this is not a requirement of paragraph 79 of the NPPF, which is a material planning consideration.
- 5.8. In respect of criterion two, "*best reasonable means of conserving a building of interest and would not damage the fabric and character of the building*". The building is not of any architectural or historic interest. External changes would include new external walls around the existing sheltered area to the west elevation of the main building and new openings. It is not considered that the proposals would damage the fabric and character of the building.
- 5.9. In respect of criterion three, "*Structurally sound and capable of re-use without substantial rebuilding*". From a site visit it was evident that the buildings in question are structurally sound and subsequently the current proposal involves no rebuilding as such. However, the proposals would involve bricking up/extension of a small part the building, which is currently just a shelter. This would be required to connect the main outbuilding with the stable building and would push the outer walls outward under the existing canopy. Overall, it is considered that the building is structurally sound and is capable of reuse without substantial rebuilding, unlike many other conversions where more works are required.
- 5.10. In respect of criterion four, "*The proposed re-use or adaptation would generally take place within the fabric of the building and will not require extensive alteration/rebuilding or extension.*" Some external works are required in order to make some parts of the proposed building weather tight. However, it is not considered that this would be extensive. Further to this, there would be limited external works to the existing buildings, which include the insertion of a number of new openings and a moving of the frontage walls of the former stable part of the buildings under the existing overhang.
- 5.11. In respect of criterion five, "*The conversion off the building and ancillary works, would not have a significant adverse effect on the character or appearance of the area or the surrounding countryside.*" It is noted that the wording within the commentary for Policy H12 states, "Since the reason for permitting residential use contrary to normal countryside policies is to preserve attractive buildings in their setting, it is important to ensure that the conversion can be carried out sympathetically without damaging the intrinsic character of the building and without substantial rebuilding, extension or alteration." The brick built rural buildings in question are not considered to be "attractive" buildings. However, the proposed scheme would retain all the external

fabric of the building (walls and roofing) with the exception of the insertion of the new openings and some new walling.

- 5.12. It is noted that the proposal would retain most of the original materials with the exception of changes to the new doors and windows. These would be new storm shield composite doors and blue/grey storm shield flush fit UPVC windows as described on the submitted plans and drawings. These are considered acceptable.
- 5.13. Overall, there would be a limited impact on the local character of the area particularly as the buildings are already domestic in nature.
- 5.14. In respect of criterion 6, "*The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.*" The site is served from an existing access and the scheme proposes sufficient parking. Furthermore, NYCC Highways have been consulted and have raised no objections subject to a number of conditions relating to alterations to the access to widen this to allow for two vehicles to pass and also a standard condition relating to access, turning and parking areas.
- 5.15. Subject to the aforementioned conditions, it is considered that the proposal is acceptable in terms of highway safety in accordance with Policies ENV1 (2), T1, T2 and H12 (7) of the Local Plan and paragraphs 34, 35 and 39 of the NPPF.
- 5.16. The policy concludes that conditions may be imposed on any permission to control future extensions or alterations, including the removal of permitted development rights.

Impact upon Residential Amenity

- 5.17. Relevant policies in respect of the impact of the proposal on residential amenity include Policy ENV1 (1) of the Selby District Local Plan. Significant weight should be attached to Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF to ensure that a good standard of amenity is achieved for all existing and future occupants of land and buildings.
- 5.18. 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 size, scale and massing of the development proposed.
- 5.19. It is noted that no objections have been received in relation to impacts on residential amenity. To the north of the proposed development would be the rear gardens of 22, 24, 26 and 28 Hull Road. To the east of the proposed development would be Manor House within the applicant's ownership. To the south of the property would be open fields. To the west would be land within the applicant's ownership, within the blue line.
- 5.20. In respect of overlooking there would be no openings on the north or west elevations. Therefore, there is not considered to be any impacts of overlooking on 22, 24, 26 and 28 Hull Road. There would be two windows on the east elevation facing Manor House. However, given the separation distances and boundary treatments. It is not considered that there would be any overlooking. There would be a number of large glazed openings on the south elevation facing towards open fields.
- 5.21. In respect of overshadowing, given the proposals relate to an existing building it is not considered that there would be any additional impacts on overshadowing.

- 5.22. In considering the proposals in respect of other surrounding properties, given the separation distances, boundary treatments and the modest size, scale and design of the proposed scheme, it is not considered that there would be any significant adverse effects in terms of overlooking, overshadowing and or oppression further than that which currently exists.
- 5.23. The proposed dwellings would benefit from good sized private amenity areas, which are considered acceptable to provide a private amenity area for the future occupants of the additional proposed dwellings.
- 5.24. Overall, it is considered that the proposals are acceptable in terms of residential amenity in accordance with Policies ENV1 (1) and H12 (7) of the Selby District Local Plan and national policy contained within the NPPF.

Flood Risk and Drainage

- 5.25. The application site is located within Flood Zone 1 which has a low probability of flooding. The proposals therefore do not require a sequential test or exceptions test.
- 5.26. In terms of drainage, the submitted application form sets out that surface water would be disposed of via a sustainable drainage system and the foul sewage would be disposed of via mains sewers.
- 5.27. The Ouse and Derwent Internal Drainage Board and Yorkshire Water have been consulted on the proposals and none have raised objections to the proposals. The IDB have suggested a condition relating to the disposal of surface water drainage which could be attached to any permission granted.
- 5.28. Overall, 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 paragraphs 158, 159 and 160 of the NPPF.

Land Contamination

- 5.29. Relevant policies in respect of land contamination include Policy ENV2 of the Selby District Local Plan and Policy SP19 "Design Quality" of the Core Strategy.
- 5.30. The application is supported by a Phase 1 contaminated land assessment. The contaminated land consultant has been consulted and has raised no objections subject to a standard condition relating to unexpected contamination.
- 5.31. Subject to the aforementioned condition, it is considered that the proposal would be acceptable in respect of land contamination and is, therefore, in accordance with Policy ENV2 of the Selby District Local Plan, Policy SP19 of the Core Strategy and paragraphs 118, 170, 178 and 179 of the NPPF.

Nature Conservation and Protected Species

- 5.32. Protected species include those protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017. The presence of protected species is a material planning consideration.

- 5.33. NYCC Ecology have been consulted on the proposed development and raised no objection subject to an informative relating to nesting season. The officer stated that the buildings concerned appear to be modern, well-sealed and well-maintained so in this instance there is no need for bat or Barn Owl surveys.
- 5.34. Having regard to the above, it is considered that the proposals would not harm any acknowledged nature conservation interests or protected species and is therefore in accordance with Policy ENV1 (5) of the Selby District Local Plan, Policy SP18 of the Core Strategy, national policy contained within the NPPF, the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017.

Affordable Housing

- 5.35. Core Strategy Policy SP9 and the accompanying Affordable Housing SPD sets out the affordable housing policy context for the District.
- 5.36. Policy SP9 outlines that for schemes of less than 10 units or less than 0.3ha a fixed sum will be sought to provide affordable housing within the District. The Policy notes that the target contribution will be equivalent to the provision of up to 10% affordable units. The calculation of the extent of this contribution is set out within the Affordable Housing Supplementary Planning Document which was adopted on 25 February 2014.
- 5.37. However, in the context of the West Berkshire decision it is considered that there is a material consideration of substantial weight which outweighs the policy requirement for the commuted sum. It is therefore considered that having had regard to Policy SP9 and the PPG, on balance, the application is acceptable without a contribution for affordable housing.

6. CONCLUSION

- 6.1. This type of conversion of an existing rural building to residential is acceptable in principle in the NPPF and in development plan policy. Though it is noted that the proposal would conflict with criteria 1 of Policy H12 of the Core Strategy, it is considered that the NPPF is a material consideration and in line with Paragraph 79 of the NPPF the further reuse of the building would be sustainable. Furthermore, the Framework is more up to date and more flexible since it does not include criteria requiring the building to be 'unsuited to business use'.
- 6.2. The works are appropriate to this rural building in terms of openings. In view of the size of the site, the extent of new residential curtilage would be acceptable. Thus, subject to the recommended conditions set out below, this application complies with the up to date Framework guidance and with, principally SDLP Policy H12 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

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 following approved plans and documents, notwithstanding the details in the application form:

- 09/19 110 Rev.P – Location Plan
- 09/19 111 Rev.P – Existing Block Plan
- 09/19 112 Rev.P – Elevations as Existing
- 09/19 113 Rev.P – Proposed Block Plan
- 09/19 114 Rev.P – Proposed Plans
- 09/19 115 Rev.P – Elevations as Proposed

Reason:

For the avoidance of doubt.

03. Prior to the first occupation of the dwelling hereby approved the boundary treatments of the curtilage of the dwelling shall be in place as shown on drawing reference, 09/19 113 Rev.P.

Reason:

In accordance with the details of the application and to protect the amenities of the prospective occupants and in order to comply with local plan Policy ENV1.

04. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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.

05. Prior to the first occupation of the dwelling hereby approved a detailed scheme for the provision of surface water should be submitted to and approved by the Local Planning Authority.

Any such scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

Reason:

To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

06. The development must not be brought into use until the existing access within the site at Hull Road, Cliffe has been widened to give a minimum carriageway width of 5 metres extending 6 metres into the site and must be constructed in accordance with Standard Detail number E5 and the following requirements.

- a) Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- b) 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 must accord with the approved details.

Reason:

In order to ensure highway safety and the convenience of all highway users having had regard to Policy ENV1 of the Selby District Local Plan.

07. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:

In order to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development having had regard to Policy ENV1 of the Selby District Local Plan.

08. Notwithstanding the provisions of Class A to Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) no extensions, garages, outbuildings or other structures shall be erected, nor new windows, doors or other openings inserted other than those hereby approved, without the prior written consent of the Local Planning Authority.

Reason:

In order to ensure that the character and appearance of the surrounding area is protected in the interests of residential amenity having had regard to Policy ENV1 of the Selby District Local Plan.

Informative(s):

CONSENT – GENERAL:

Under the terms of the Land Drainage Act. 1991 and the IDB's Byelaws, the prior written consent of the Board is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any watercourse.

CONSENT – OUTFALL:

Any new outfall to a watercourse requires the prior written consent of the IDB under the terms of the Land Drainage Act. 1991 and should be constructed to the satisfaction of the IDB.

CONSENT – DISCHARGE:

Under the IDB's Byelaws the written consent of the IDB is required prior to any discharge into any watercourse within the IDB's District.

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

ECOLOGY:

The applicant should be aware that all nesting birds receive general protection under the Wildlife & Countryside Act 1981. Therefore, a check should be made before works begin; any nests found should be left undisturbed until young have fledged.

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

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

10. Background Documents

10.1. Planning Application file reference 2020/0242/FUL and associated documents.

Contact Officer:

Rebecca Leggott (Senior Planning Officer)
rleggott@selby.gov.uk

Appendices:

Appendix 1 - Site Images

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Appendix 1 - Site Images, 2020/0242/FUL

APPLICATION NUMBER:	2020/0242/FUL	PARISH:	Cliffe Parish Council
APPLICANT:	Mr A Pulleyne	VALID DATE: EXPIRY DATE:	31st March 2020 26th May 2020
PROPOSAL:	Proposed conversion of domestic garage/store and stables to dwelling		
LOCATION:	Manor House Hull Road Cliffe Selby North Yorkshire YO8 6NH		
RECOMMENDATION:	APPROVE		



Aerial view of the site



Aerial view of the site and location plan



View south down the existing access to be widened



View north of the existing building to be converted



View east of the existing building to be converted



View south from the building to be converted



View west of the existing building to be converted



APPLICATION SITE

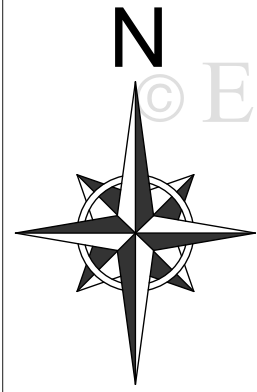
2020/0376/FUL

Market Garden, Hull Road, Hemingbrough





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


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KEY

-  EXISTING BUILDINGS
- 1 AG Building Dwelling
- 2 AG Building
- 4 AG Building
-  EXISTING STATIC CARAVAN
-  EXISTING GRAVEL/CRUSHED STONE
-  EXISTING TARMAC
-  EXISTING TIMBER POST & RAIL FENCE
-  EXISTING WATERCOURSE
-  EXISTING HEDGE/SHRUBS
-  EXISTING TREES
-  FOULRUN AND NEW BIOTREATMENT PLANT (Klargester Biobac BB)
-  PROPOSED TARMAC
-  PROPOSED HEDGE PLANTING
-  PROPOSED TREE PLANTING
-  PROPOSED GRAVEL/CRUSHED STONE
-  PROPOSED TIMBER POST & RAIL FENCE
-  SURFACE WATER TO SOAK-AWAY

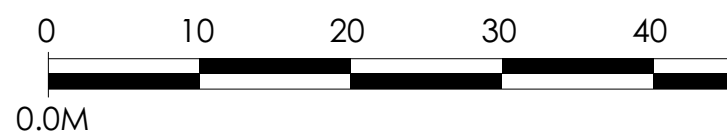


-  Schwegler 1FD Bat Box on minimum 2m high timber pole
-  Schwegler 1B Bird Box (1x 26mm entrance hole, 1x 32mm entrance hole), 2-4m above ground
-  Schwegler 2H Robin Box, 2-4m above ground

Security Lighting (numbers and positions at client's discretion):

- As far from Boundaries away as possible.
- Lighting columns used should be as short as possible or even bollards to be used (at clients discretion).
- Shields ground lamps to be used in order to direct the light and avoid light spillage.

Proposed new Biotreatment Plant (Klargester BB) and drainage trench



Site Plan - As Proposed
1:500

NOTES
Do not scale from this Drawing.
It is the Contractor's responsibility to check all governing dimensions with the Engineer and client and verify all dimensions on site before commencing any work or making any other drawings.
This drawing to be read in conjunction with structural, mechanical and electrical drawings prepared by others and other relevant information and any discrepancies are to be reported to the Architect/Project Manager.
Work and materials to be in accordance with the Building Regulations where appropriate and to comply with relevant British Standards. Materials to agree with Planning Conditions.
This drawing is the copyright of Edwardson Associates Ltd and should not be reproduced in whole or in part without their written permission.

- NOTES**
- Building 1:
1. To remain as existing.
- Building 2 - Dwelling:
2. External Wall comprising of existing blackwork skin lined internally. New external timber cladding set maximum 50mm off face and render at low levels
3. Roof to be standing seam profile membrane roof.
- General
4. All replacement and new windows/ doors to be of a substantial timber construction, set in deep (min. 100mm) reveals.
5. Existing highway access to be utilised. Min. 15m following highway access to be of non-drag material (tarmac)
6. Parking to be as shown.
7. Surface water drainage to proposed soakaways.
8. Foul water drainage to proposed Bio-treatment plant, then to sub-surface drainage trench.
9. Proposed tree planting belt to consist of the following species: Field Maple, Silver Birch, Pedunculate Oak, Sycamore and Scots Pine. No one species to be dominant.
10. Proposed boundary hedge planting to consist of the following species: Hawthorn 25%, Blackthorn 25% and Buckthorn 50%. Hedgerow to be maintained at a height of 2m and a width of 1.5m.
11. Two layers of Rush Fencing to be placed along the Eastern boundary to create an immediate screen until planting fully grows out.
12. In accordance with the Flood Risk Assessment by GGP Consult Ltd (Project Ref:28613/FRA/NGA/1) passive flood defence measures such as flood resilient construction (walls, windows, doors and floors, flood resilient services (outlets raised higher above the floor, all electric cables coming from above), flood resilient sewers and drains to be implemented.
13. In addition a flood warning and evacuation plan is to be prepared in connection with subscription to the EA's flood alert system.

B	Plan Revision B	15/06/2020	ABR
A	Sweptpath analysis and ecological recommendations added to plan at planning officer's request.	13/05/2020	ABR

rev: notes: date: by:

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EDWARDSON ASSOCIATES

project: Change of use of existing redundant building to form a dwelling at Chapel Fields, Hull Road, Hemmingbrough.

client: Mr & Mrs R. Finney

drawing title: Site Plan - As Proposed

scale @ A2: 1:500 date: April 2020

drawn: ABR checked:

job no: FIN.R 2020.01 drawing no: 101

issue status: Planning revision: B

Paddock House, 10 Middle Street South
Driffield, East Yorkshire, YO25 6PT
tel: 01377 249720 fax: 01377 259052
info@edwardsonassociates.com
www.edwardsonassociates.com

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Report Reference Number: 2020/0376/FUL

To: Planning Committee
Date: 5 August 2020
Author: Chris Fairchild (Senior Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0376/FUL	PARISH:	Hemingbrough Parish Council
APPLICANT:	Mr & Mrs R Finney	VALID DATE: EXPIRY DATE:	22nd April 2020 17th June 2020
PROPOSAL:	Conversion of redundant building to form residential dwelling		
LOCATION:	Market Garden Hull Road Hemingbrough Selby North Yorkshire		
RECOMMENDATION:	GRANT planning permission subject to conditions and informatives		

This application has been brought before the Planning Committee as the proposal is contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 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

Site and Context

- 1.1. The site is accessed from a long private access road from Hull Road leading to the main part of the site. The main part of the site is made up of loose gravel and scrub and includes the buildings subject of this application and a caravan.
- 1.2. The building to the northeast (annotated as Building 1 on the proposed site plan) is a former stable block with a concrete base, timber walls and corrugated sheet roof. Building 2, lies to the west of Building 1 and consists of a concrete base, breeze block wall and membrane roof. Between these two buildings is an open sided structure.

The Proposal

- 1.3. Planning Permission was originally sought for the conversion of Building 1 and 2 to residential use, however following a request by officers conversion of Building 1 is no longer included. The adjoining structure between the two buildings will be demolished. The existing landscaping will be retained with new hedging proposed on the eastern boundary, to the south of the site a row of trees and post & rail fence is proposed.

Relevant Planning History

- 1.4. There are no historical applications considered to be relevant to the determination of this application.

2. CONSULTATION AND PUBLICITY

Local Highway Authority

- 2.1. The principle of the development is considered acceptable to the Highway Authority. Clarifications regarding on-site turning and parking were sought.

The Ouse & Derwent Internal Drainage Board (IDB)

- 2.2. The IDB note the existing soakaways and percolation testing show good percolation value, however they note that these are located within Flood Zone 2 and there is no evidence of their effectiveness. The board therefore recommend new soakaways are sought.
- 2.3. The IDB note the use of Package Treatment Plan leading to a drainage trench. Foul drainage is beyond the scope of the IDB and subject to approval by the Local Planning Authority they have no objection.

Environmental Health

- 2.4. No objections to the proposals.

Natural England

- 2.5. Responded with no comments.

County Ecologist

- 2.6. The County Ecologist considered the submitted ecological appraisal noting the site is of low ecological quality, low/negligible potential to support roosting bats supported by a bat activity survey that did not indicate any bats emerging from the buildings albeit this was undertaken at the beginning of April and thus outside the accepted survey season.
- 2.7. Given the methodology outside of the typical survey season, the County Ecologist sought clarification on the likelihood of bat activity. Following re-consultation which included this additional clarification the County Ecologist confirmed the proposals are acceptable in this regard.

- 2.8. Clarification was also sought regarding recommendations to bat foraging habitat and that these be incorporated into the design of the scheme as opposed to merely advice. Following re-consultation which included these changes the County Ecologist confirmed the proposals are acceptable in this regard.
- 2.9. The assessment of potential impacts on Great Crested Newt is considered on balance reasonable and that the proposed development is unlikely to impact on this species.
- 2.10. The proposed landscaping is considered a welcome biodiversity enhancement, albeit the hedgerow species proposed is recommended to be adjusted.
- 2.11. A condition requiring adherence to the recommendations, relating to nesting birds and timing of site clearance, contained in section 5.5.2 of the ecological appraisal is recommended.

Contaminated Land Consultant

- 2.12. The Contaminated Land Consultant considered the submitted Screening Assessment Form noting the historic uses of the and the conclusion that no significant potential contaminant sources were identified and accordingly no further investigation or remediation work was required.
- 2.13. Regardless, a planning condition is recommended that if unexpected contamination is discovered the following steps are required: (1) Phase I survey; (2) submission of remediation scheme, and; (3) verification of remediation works.

Parish Council

- 2.14. No comments were received following consultation.

Yorkshire Water

- 2.15. No comments were received following consultation.

North Yorkshire Bat Group

- 2.16. No comments were received following consultation.

Yorkshire Wildlife Trust

- 2.17. No comments were received following consultation.

Publicity

- 2.18. The application was advertised via site notice. No direct correspondence has been received from any members of the public, however, the local Member has submitted representations on behalf of three parties all in objection to the proposals. The objections are reported as:

“Broadly speaking the main reason for the objections is that the objectors consider that proposal is outside the development limits of the village which they consider would lead to the village being split in two which they consider

to be dangerous as the residents would need to cross the busy A63 to access the village which at present has no safe crossing. One of the three objectors has also mentioned in their representations to me that the area that the proposed development is likely to take place on is not included in the current five year land supply.”

3. SITE CONSTRAINTS

Constraints

- 3.1. The site is located entirely outside of the Development Limits for Hemingbrough and is therefore within the open countryside.
- 3.2. There are no environmental designations nor designated heritage assets on or near the site.
- 3.3. The majority of the site is within Flood Zone 1, the area at lowest risk of flooding, however, the northern section of the site including the buildings are entirely with Flood Zone 2.

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 National Planning Policy Framework (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 concluded 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. In February 2019 a revised 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 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
- SP9 Affordable Housing
- 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:

- T1 Development in Relation to the Highway network
- T2 Access to Roads
- ENV1 Control of Development
- ENV2 Environmental Pollution and Contaminated Land
- H12 Conversion to residential use in the Countryside

5. APPRAISAL

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

1. Principle of Development
2. Conservation & Historic Environment
3. Suitability for Re-use
4. Extent of Alterations
5. Landscape & Character
6. Environmental Health
7. Access & Highway Safety
8. Residential Amenity
9. Ground Conditions
10. Affordable Housing
11. Impact on Nature Conservation
12. Flood Risk & Drainage

Principle of Development

Context

5.2. CS Policy SP1 states 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 national policy set out in the NPPF.

5.3. CS Policy SP2 controls the location of future development within the District and directs the majority of new development to existing settlements. CS Policy SP2A(c) relates to the open countryside and limits development to:

“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, and well-designed new buildings of an appropriate scale, 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 meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances.”

5.4. SDLP Policy H12 controls proposals for the conversion of rural buildings to residential use in the countryside (outside defined Development Limits) and stipulates the criteria in which conversions will be permitted, where relevant – which in this instance is criteria 1 to 7 and these are considered in greater detail below. H12(8) relates to part-residential/part-business and is not applicable.

5.5. Criterion (1) of Policy H12 allows proposals for the conversion of rural buildings to residential uses provided:

“It can be demonstrated that the building, or its location, is unsuited to business use or that there is no demand for buildings for those purposes in the immediate locality”.

5.6. Paragraph 79 of the NPPF sets out the policy for considering homes in the countryside and the circumstances in which this is permissible. Criterion (c) states:

“...the development would re-use redundant or disused buildings and enhance its immediate setting.”

Assessment

5.7. This proposal would result in the re-use of an existing building in the countryside and would therefore comply with Policy SP2A(c) of the Core Strategy and the NPPF.

5.8. However, unlike CS Policy SP2(c) and the NPPF, SDLP Policy H12 allows proposals for the conversion of rural buildings to residential uses provided *“...it can be demonstrated that the building, or its location, is unsuited to business use or that there is no demand for buildings for those purposes in the immediate locality.”* The proposal does not meet this criterion and is therefore contrary to the requirements of the development plan in this regard.

5.9. However, NPPF Paragraph 79(c) does not require the more onerous tests for commercial or employment uses within converted buildings set out in SDLP H12(1).

5.10. Officers consider that the approach set out within SDLP Policy H12 is more onerous than, and conflicts with, NPPF Paragraph 79 and CS Policy SP2 and therefore limited weight is applied to criterion (1) of SDLP Policy H12. However, it is clear that the conversion of buildings within the countryside (outside settlement limits) is acceptable in principle and therefore the proposal is acceptable.

Conservation & Historic Environment

Context

- 5.11. There are no statutory listed features of architectural or historical significance on or in proximity to the site.
- 5.12. SDLP Policy H12(2) allows the conversion of rural buildings to residential use in the countryside where:

“The proposal would provide the best reasonable means of conserving a building of architectural or historic interest and would not damage the fabric and character of the building...”

Assessment

- 5.13. Neither the retained or demolished buildings are of any particular historic significance or architectural merit. Officers consider that the proposals are acceptable from a conservation and historic perspective and comply with H12(2).

Suitability for Re-use

Context

- 5.14. SDLP Policy H12(3) allows the conversion of rural buildings to residential use in the countryside where:

“The building is structurally sound and capable of re-use without substantial rebuilding...”

- 5.15. The application is supported by a building survey which is informed by a visual inspection of the buildings. The assessment notes a “limited” inspection of Building 2 was undertaken and goes onto describe the condition of the building noting some issues which the author considers minor and goes onto conclude that the “...structure remains in a reasonably stable condition and can be incorporated within a conversion scheme”.

- 5.16. The assessment for Building 1 follows a similar format albeit this notes more serious issues, including: the cladding and “*potentially*” the timbers of the framing show signs of structural deterioration. The survey sets out the methodology for the conversion noting the intention to build a new structural wall inside the building with the actual exterior of the building forming “*an external cladding*” with the roof weight transferred to these walls and allowing conversion of the existing building without the need to demolish and rebuild. The assessment goes onto state that this “...*may require significant new foundations...*” although further surveys would be required

Assessment

- 5.17. Officers did not consider that Building 1 was suitable for conversion and that extensive re-building was required to construct a habitable dwelling. Following discussion with the Applicants this element of the proposal was withdrawn accordingly.
- 5.18. Regarding Building 2, Officers agree with the findings of the building survey i.e. that it is suitable for conversion without substantial rebuilding. The application is now considered to accord with SDLP Policy H12(3).

Extent of Alterations

Context

- 5.19. SDLP Policy H12(4) allows the conversion of rural buildings to residential use in the countryside where:

“The proposed re-use or adaptation will generally take place within the fabric of the building and not require extensive alteration, rebuilding and/or extension;”

Assessment

- 5.20. The proposed works to Building 2 maintain the existing dimensions whilst adding external cladding set 50mm off the existing elevation. Officers do not consider these changes constitute “*extensive*” alteration and therefore the proposals are considered to satisfy SDLP Policy H12(4).

Landscape & Character

Context

- 5.21. SDLP Policy H12(5) allows the conversion of rural buildings to residential use in the countryside where:

“The conversion of the building and ancillary works, such as the creation of a residential curtilage and the provision of satisfactory access and parking arrangements, would not have a significant adverse effect on the character or appearance of the area or the surrounding countryside...”

- 5.22. 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.

Assessment

- 5.23. The site is currently occupied for residential use by the presence of the static caravan and has taken on some of the characteristics of domestic curtilage. The site is located on the fringe of the village albeit open countryside prevails to the east, west and north.
- 5.24. However, this section of the site is screened to the north and west by existing tall trees and vegetation, whilst juvenile planting exists along the southern boundary. This existing landscaping is to be supplemented by native hedgerow planting along the eastern boundary, supplemented by rush screening until the planting has grown out.

Environmental Health

Context

- 5.25. SDLP Policy H12(6) allows the conversion of rural buildings to residential use in the countryside where:

“The building is not in close proximity to intensive livestock units or industrial uses which would be likely to result in a poor level of amenity for occupiers of the dwelling...”

Assessment

- 5.26. Environmental Health have considered the proposals and have no objection to the proposals. Officers agree that given the proposed residential dwelling will neither be in proximity to intensive livestock units nor industrial uses there will be no detrimental impact upon the health of any future residents. The proposals therefore comply with SDLP Policy H12(6).

Access & Highway Safety

Context

- 5.27. SDLP Policy H12(7) allows the conversion of rural buildings to residential use in the countryside where:

“The proposal would not create conditions prejudicial to highway safety...”

- 5.28. 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.
- 5.29. 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.
- 5.30. 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

- 5.31. The proposals have been considered by the Local Highway Authority who have found the proposals acceptable in principle although clarification that on-site parking was provided was sought: the applicants have subsequently provided plans demonstrating sufficient vehicle turning is available on-site. Therefore, officers consider the proposals will not have a detrimental impact upon highway safety and the proposals comply with SDLP Policy T1 & T2.

Residential Amenity

Context

- 5.32. SDLP Policy H12(7) allows the conversion of rural buildings to residential use in the countryside where:

“The proposal would not create conditions... which would have a significant adverse effect on local amenity...”

- 5.33. SDLP Policy ENV1 provides eight broad aspirations that are taken into account when achieving “good quality development”. ENV1(1) requires “the effect upon the character of the area or the amenity of adjoining occupiers” to be taken into consideration.

Assessment

- 5.34. The site has no adjoining residential dwellings, and the nearest dwellings are c.150m to the south and west respectively. The proposals will not introduce any overlooking, overshadowing or overbearance on neighbouring properties and will not negatively impact the amenity of any surrounding use.
- 5.35. Regarding amenity for future occupants, Officers consider the proposed site layout contains an appropriate level of amenity space provision for the proposed dwelling. The use of the site for residential purposes is considered acceptable in respect of prevailing uses surrounding the site.

Ground Conditions

Context

- 5.36. 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.
- 5.37. 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

- 5.38. Whilst the findings of the Screening Assessment Form suggest no potential sources of contamination are likely, officers agree with the Contamination Officer that in the absence of any of any verification it is prudent to include an unexpected contamination condition. Subject to the inclusion of these recommendations development of the site is appropriate in relation to ground conditions and complies with CS Policy SP18 and NPPF Paragraph 178.

Affordable Housing

Context

- 5.39. Core Strategy Policy SP9 and the accompanying Affordable Housing Supplementary Planning Document (SPD) sets out the affordable housing policy context for the District. Policy SP9 outlines that for schemes of less than 10 units or

less than 0.3ha a fixed sum will be sought to provide affordable housing within the District.

- 5.40. However, the NPPF is a material consideration in planning decisions (as set out in paragraph 2 of the NPPF) and states at paragraph 63:

“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”.

- 5.41. For housing, ‘major development’ is defined within the NPPF Glossary as being development of 10 or more homes, or where the site has an area of 0.5 hectares or more.

Assessment

- 5.42. The application proposes the creation of one dwelling on a site which has an area of less than 0.5 hectares, and as such the proposal is not considered to be major development. Having had regard to Policy SP9 of the Core Strategy and material considerations including the Affordable Housing SPD and the NPPF, on balance, the application is acceptable without a contribution for affordable housing.

Impact on Nature Conservation

Context

- 5.43. 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, enhancing 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.
- 5.44. NPPF Paragraph 170(d) seeks for planning decisions to contribute to and enhance the natural environment by minimising impacts and providing net gains for biodiversity.

Assessment

- 5.45. Following submission of additional information, the County Ecologist considers the proposals are acceptable. Officers agree that there are no concerns from a nature conservation perspective subject to undertaking works in accordance with the submitted Ecological Appraisal and a condition requiring this is therefore recommended. Subject to this condition, the proposals are acceptable and comply with CS Policy SP18 and NPPF Paragraph 170(d).

Flood Risk & Drainage

Context

- 5.46. The majority of the site sites within Flood Zone 1 (the area at lowest risk of flood risk) albeit the northern section which includes the buildings for conversion is located within Flood Zone 2.
- 5.47. 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.
- 5.48. SDC's Flood Risk Sequential Test Developer Guidance Note (October 2019) is also a material consideration. The Guidance Note accords with Paragraph 164 and footnote 51 of the NPPF which clarifies that minor development is exempt from requiring a sequential and exception test.

Assessment

- 5.49. The proposal constitutes a change of use application without the creation of any built development, therefore in accordance with the Guidance Note and NPPF the proposal does not require a sequential or exception test and complies with CS Policy SP15.
- 5.50. The submitted Flood Risk Assessment (FRA) states that the change of use nature precludes the floor level from being raised, however given the shallow topography and fringe of the flood zone that water would be shallow and low velocity. The FRA notes that in mitigation that "*consideration should be given to flood proofing the building with passive defence measures to eliminate or minimise potential water ingress, and flood resilient construction methods*", however, no specific measures are noted and details of these will be required prior to the unit being occupied for residential use. The FRA also recommends subscription to the Environment Agency flood alert system and development a Flood Warning & Evacuation Plan for the site.
- 5.51. Officers consider that subject to the provision of additional flood resilience details, subscription to the flood alert system and the creation of an evacuation plan that the proposals are acceptable from a flood risk perspective.
- 5.52. The proposal seeks to utilise existing soakaways. The IDB have acknowledged good percolation levels are present at the site but given these are located within Flood Zone 2, and without evidence of their effectiveness seek new soakaways. Officers agree that details should be sought via condition.
- 5.53. In regard to foul drainage, the proposals seek to install a package treatment plan that drains into a drainage ditch. The submitted details state that the ditch has been designed and in accordance with British Standard BS6297:2007 and provide technical specifications of the proposed plant which is designed to meet the occupancy of the conversion. Officers are satisfied that the foul drainage details are satisfactory.

6. CONCLUSION

- 6.1. Planning permission is sought for the conversion of an existing building within the open countryside to residential use.
- 6.2. The application is considered to be acceptable in principle and represents appropriate development in the countryside in accordance with Policies SP1 and

SP2 of the Core Strategy and national policy including paragraph 79 of the NPPF. Policy H12 (1) of the Selby District Local Plan is given limited weight as the approaches taken by Policy SP2A(c) and Paragraph 79 of the NPPF are significantly different to that taken in Policy H12 as they do not require the more onerous tests set out in H12 (1).

- 6.3. A buildings survey has been submitted that demonstrates, on balance, the building is capable of being converted without substantial rebuilding work. As such, subject to the wider development management considerations of SDLP Policy H12, the principle is considered acceptable.
- 6.4. Officers have considered the proposals against all material considerations that arise from the development, including the relevant criteria of SDLP Policy H12. 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 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 and documents listed below:

- 101 Rev B – Site Plan as Proposed
- 102 Rev A – Floor Plan, Roof Plan, Sections & Elevations as Proposed

REASON:

For the avoidance of doubt.

03. Development shall be undertaken in accordance with the recommendations of the approved Ecological Appraisal (April 2020). The approved ecological enhancements shall be installed prior to the occupation of the development.

REASON:

In order to protect and enhance biodiversity.

04. Notwithstanding the annotations on the approved plans, no external lighting is permissible without the prior written approval of the Local Planning Authority and any lighting subsequently approved shall be installed and retained in accordance with the approved details.

REASON:

In order to protect and enhance biodiversity.

05. On-site vehicular turning space, as shown on Drawing Number 101 Rev.B, shall be retained at all times to allow vehicles to enter and exit the site in forward gear.

REASON:

In the interests of highway safety.

06. 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.

07. The landscaping scheme, as shown on Drawing Number 101 Rev.B, shall 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, and to preserve the character of the listed building.

08. 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.

09. Notwithstanding the details shown on the approved plans, the suitability of new soakaways, as a means of disposing of surface water from the converted building, should be ascertained in accordance with BRE Digest 365 to the satisfaction of the Local Planning Authority. 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.

If the suitability of soakaways is proven, a new soakaway should be installed, within the part of the site falling within Flood Zone 1, prior to occupation of the development hereby approved.

If the suitability is not proven or the location is considered to be detrimental, amended proposals showing how the site is to be drained must be submitted for approval by the Local Planning Authority and thereafter the approved scheme implemented prior to occupation of the development hereby approved.

REASON:

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

10. The foul drainage system shall be completed in accordance with the approved details prior to the occupation of the development and shall subsequently be retained in accordance with the approved details.

REASON:

In the interest of satisfactory and sustainable drainage.

11. Notwithstanding the indicative flood resilience measures contained within the notes on the approved plans, details of flood resilience measures shall be submitted for approval by the Local Planning Authority and thereafter the approved scheme implemented prior to occupation of the development hereby approved.

REASON:

To reduce the risk and impact of flooding to the proposed development and future occupants.

12. The applicant or future occupier of the dwelling shall register with the Government's flood information service prior to occupation of the dwelling.

REASON:

To reduce the risk and impact of flooding to the proposed development and future occupants.

INFORMATIVES

01. 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.

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 2020/0376/FUL and associated documents.

Contact Officer:

Chris Fairchild, Senior Planning Officer

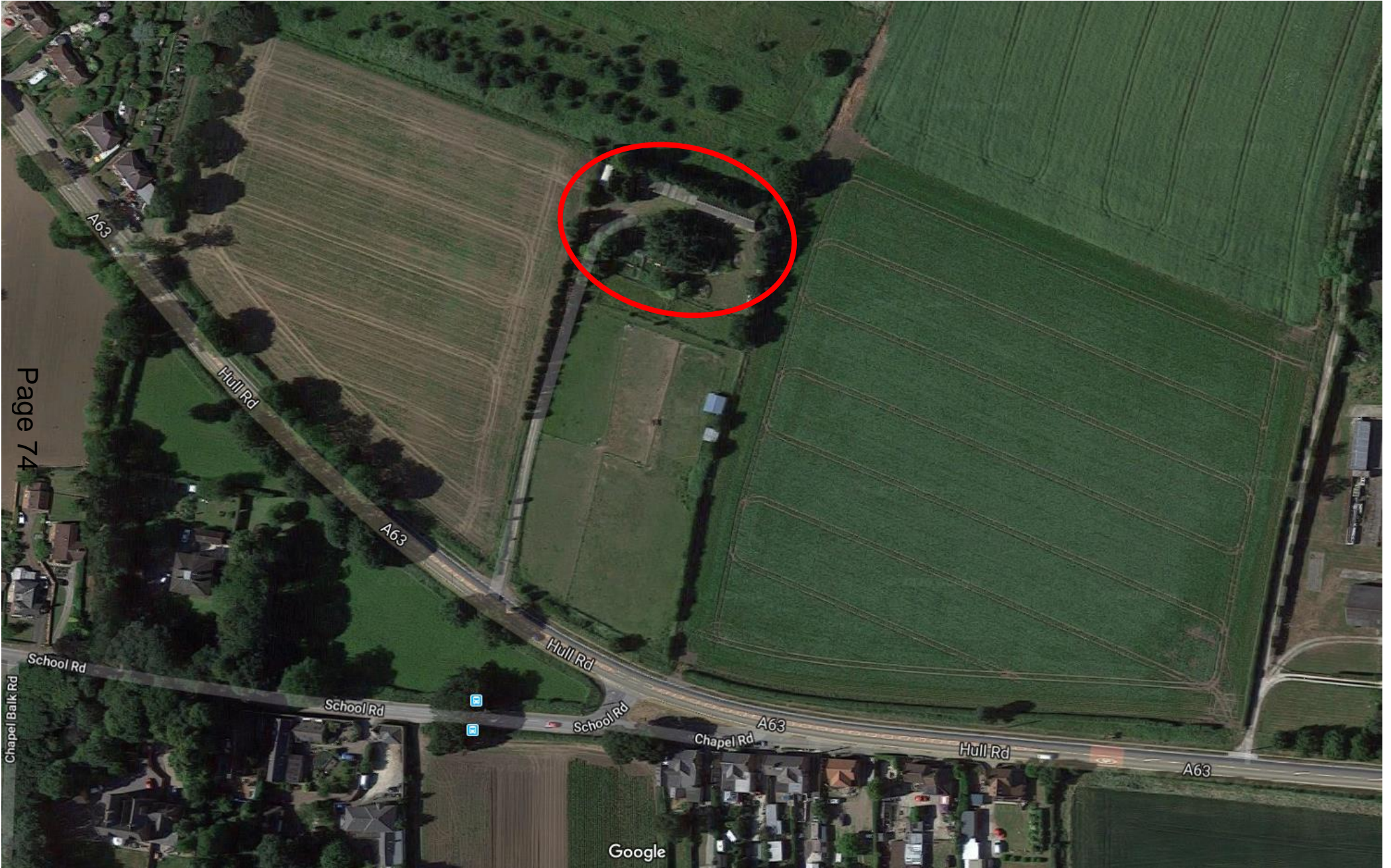
cfairchild@selby.gov.uk

Appendices: Appendix 1 – Site Photographs

APPLICATION NUMBER:	2020/0376/FUL	PARISH:	Hemingbrough Parish Council
APPLICANT:	Mr & Mrs R Finney	VALID DATE:	22nd April 2020
		EXPIRY DATE:	17th June 2020
PROPOSAL:	Conversion of redundant building to form residential dwelling		
LOCATION:	Market Garden Hull Road Hemingbrough Selby North Yorkshire		
RECOMMENDATION:	GRANT planning permission subject to conditions and informatives		

APPENDIX 1 – Site Photographs

1. Aerial Image



2. Access Road



3. Site – looking north from drive





5. Site – looking south

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6. Site – looking northeast





8. Buildings – elevations looking west









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



John Cattnach, Chair (C)
Cawood and Wistow
 01757 268968
jcattnach@selby.gov.uk



Mark Topping (C)
Derwent
mtopping@selby.gov.uk



Keith Ellis (C)
Appleton Roebuck & Church Fenton
 01937 557111
kellis@selby.gov.uk



John Mackman, Vice-Chair (C)
Monk Fryston
 01977 689221
jmackman@selby.gov.uk



Ian Chilvers (C)
Brayton
 01757 705308
ichilvers@selby.gov.uk

Page 87



Don Mackay (I)
Tadcaster
 01937 835776
dbain-mackay@selby.gov.uk



Mike Jordan (YP)
Camblesforth & Carlton
 01977 683766
mjordan@selby.gov.uk



Robert Packham (L)
Sherburn in Elmet
 01977 681954
rpackham@selby.gov.uk



Paul Welch (L)
Selby East
 07904 832671
pwelch@selby.gov.uk

Substitute Councillors



Chris Pearson (C)
Hambleton
01757 704202
cpearson@selby.gov.uk



Richard Musgrave (C)
Appleton Roebuck & Church Fenton
07500 673610
rmusgrave@selby.gov.uk



Tim Grogan (C)
South Milford
tgrogan@selby.gov.uk



David Buckle (C)
Sherburn in Elmet
01977 681412
dbuckle@selby.gov.uk



John McCartney (I)
Whitley
01977 625558
jmccartney@selby.gov.uk



Keith Franks (L)
Selby West
01757 708644
kfranks@selby.gov.uk



Steve Shaw-Wright (L)
Selby East
07711200346
sshaw-wright@selby.gov.uk



Stephanie Duckett (L)
Barlby Village
01757 706809
sduckett@selby.gov.uk

(C) – Conservative (L) – Labour (I) – Independent (YP) – Yorkshire Party