



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 2 JUNE 2021**
Time: **2.00 PM**
Venue: **COUNCIL CHAMBER - CIVIC CENTRE, DONCASTER ROAD, SELBY, YO8 9FT**
To: **Councillors J Cattanach (Chair), J Mackman (Vice-Chair), M Topping, K Ellis, I Chilvers, R Packham, P Welch, D Mackay and S Shaw-Wright**

Agenda

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

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

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

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

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

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

- 3. Chair's Address to the Planning Committee**
- 4. Planning Applications Received (Pages 5 - 6)**
 - 4.1. 2019/0476/FUL - Land to the west of Saxon Holme, Coldhill Lane, Saxton (Pages 7 - 32)**

5. Private Session – Exclusion of Press and Public

The Committee may exclude the press and public for the following item of business and to do so it must pass a resolution in the following terms: That, in accordance with Section 100(A) (4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and Public during discussion of the following item as there will be disclosure of exempt information as defined in paragraph 3 of Schedule 12(A) of the Act (information relating to the financial or business affairs of any particular person, including the authority holding that information).

6. Member Briefing - Private Session (Pages 33 - 36)

For Members to receive the briefing note and presentation.

Janet Waggott

Janet Waggott, Chief Executive

<p>Dates of next meetings (2.00pm) Wednesday, 7 July 2021</p>
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Enquiries relating to this agenda, please contact Victoria Foreman on 01757 292046 or vforeman@selby.gov.uk.

Public Attendance at Planning Committee

Public attendance at Council meetings is permitted once more; however, there are restrictions that remain in place due to Covid-19. If you intend to attend a meeting of the Planning Committee in person, please let Democratic Services know on democraticservices@selby.gov.uk as soon as possible. **Please note however that you are strongly encouraged to watch a stream of the meeting online instead of attending in person, and if you wish to speak, to also do this online via Microsoft Teams.**

Recording at Council Meetings

Recording is allowed at Council, Committee and Sub-Committee meetings which are open to the public, subject to:- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Democratic Services Officer on the above details prior to the start of the meeting. Any recording must be conducted openly and not in secret.

Planning Committee

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

1. The legislation which allowed Councils to take decisions remotely came to an end on 7 May 2021. As such, Planning Committee meetings to be held after this date will revert to being 'in person', but there will still be restrictions on numbers of attendees in the room due to Covid-19. **If you are intending to come to a meeting of the Committee in person, please let Democratic Services know as soon as possible, as you are strongly encouraged to watch the meeting online instead, and if you wish to speak at the meeting, also do this remotely via Microsoft Teams.**
2. The reports are taken in the order of business on the agenda, unless varied by the Chairman. The Chairman may amend the order of business to take applications with people registered to speak, first, so that they are not waiting. If the order of business is going to be amended, the Chairman will announce this at the beginning of the meeting.
3. 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.
4. 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>
5. 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.
6. The next part is the public speaking process at the committee. Speakers will be able to attend the meeting in person again and will have to comply with Covid-safe procedures in the Council Chamber such as social distancing, mask wearing (unless exempt), sanitising of hands and following the one-way system which will be in place in the room.
7. Alternatively, speakers can join the meeting remotely via Microsoft Teams if they prefer to speak that way.

8. The following may address the committee for **not more than 5 minutes each**:
 - (a) The objector
 - (b) A representative of the relevant parish council
 - (c) A ward member
 - (d) The applicant, agent or their representative.

NOTE: Persons wishing to speak on an application to be considered by the Planning Committee should have registered to speak with Democratic Services **by no later than 3pm on the Monday before the Committee meeting (this will be amended to the Tuesday if the deadline falls on a bank holiday).**

9. **Members of the public registered to speak are strongly encouraged to speak remotely (i.e., via Microsoft Teams online). If speaking remotely, they must submit a copy of what they will be saying by 3pm on Monday before the Committee meeting (amended to the Tuesday if the deadline falls on a bank holiday).** This is so that if they experience connectivity issues their representation can be read out on their behalf (for the allotted five minutes).
10. Speakers physically attending the meeting and reading their representations out in person do **not** need to provide a copy of what they will be saying.
11. The number of people that can access the Civic Suite will need to be safely managed due to Covid secure guidelines, which is why it is important for the public to let Democratic Services know if they plan on attending in person.
12. Speakers attending remotely (online via Microsoft Teams) will be asked to access the meeting when their item begins and leave when they have finished speaking and continue watching the stream on YouTube.
13. If speaking in person, the public will be asked to come up to a desk from the public gallery (where they will be seated in a socially distanced manner), sit down and use the provided microphone to speak. They will be given five minutes in which to make their representations, timed by Democratic Services. Once they have spoken, they will be asked to return to their seat in the public gallery. The opportunity to speak is not an opportunity to take part in the debate of the committee.
14. Each speaker should restrict their comments to the relevant planning aspects of the proposal and should avoid repeating what has already been stated in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
15. The members of the committee will then debate the application, consider the recommendations and then make a decision on the application.
16. 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.

17. 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.
18. This is a council committee meeting which is open to the public.
19. 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
20. The arrangements at the meeting may be varied at the discretion of the Chairman.
21. Written representations on planning applications can also be made in advance of the meeting and submitted to planningcomments@selby.gov.uk. All such representations will be made available for public inspection on the Council's Planning Public Access System and/or be reported in summary to the Planning Committee prior to a decision being made.
22. Please note that the meetings will be streamed live on YouTube 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.
23. These procedures are being regularly reviewed.

Contact:

Democratic Services

Email: democraticservices@selby.gov.uk

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Agenda Item 4

Items for Planning Committee

2 June 2021

Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2019/0476/FUL	Land to the west of Saxon Holme Coldhill Lane Saxton	Erection of new dwelling	FIEL	7 - 32

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Agenda Item 4.1

Saxon Holme, Coldhill Lane, Saxton
2019/0476/FUL



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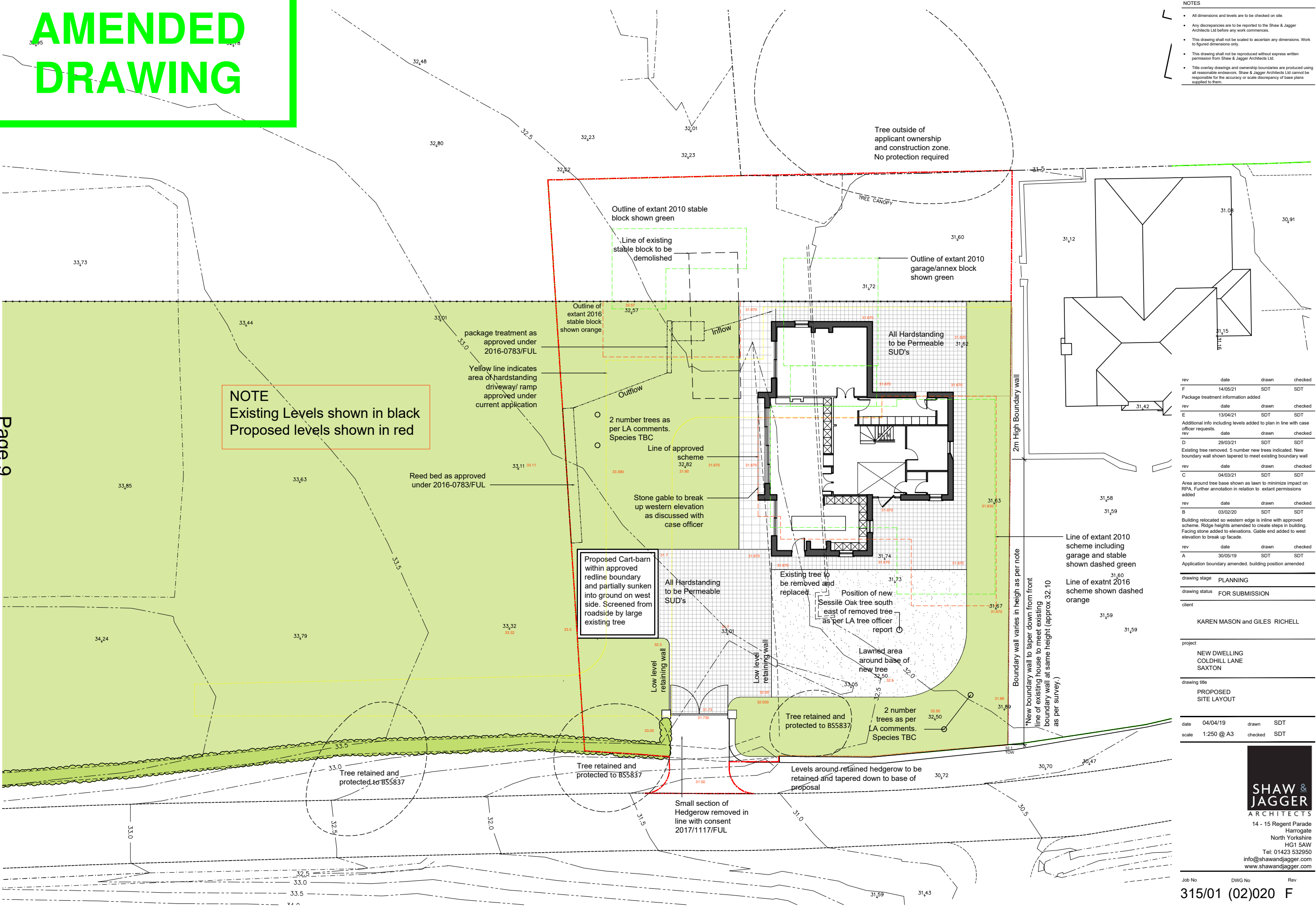
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AMENDED DRAWING

- NOTES**
- All dimensions and levels are to be checked on site.
 - Any discrepancies are to be reported to the Shaw & Jagger Architects Ltd before any work commences.
 - This drawing shall not be scaled to ascertain any dimensions. Work to figured dimensions only.
 - This drawing shall not be reproduced without express written permission from Shaw & Jagger Architects Ltd.
 - Title overlay drawings and ownership boundaries are produced using all reasonable endeavors. Shaw & Jagger Architects Ltd cannot be responsible for the accuracy or scale discrepancy of base plans supplied to them.

Page 9

NOTE
Existing Levels shown in black
Proposed levels shown in red



rev	date	drawn	checked
F	14/05/21	SDT	SDT
Package treatment information added			
rev	date	drawn	checked
E	13/04/21	SDT	SDT
Additional info including levels added to plan in line with case officer requests.			
rev	date	drawn	checked
D	29/03/21	SDT	SDT
Existing tree removed. 5 number new trees indicated. New boundary wall shown tapered to meet existing boundary wall			
rev	date	drawn	checked
C	04/03/21	SDT	SDT
Area around tree base shown as lawn to minimize impact on RPA. Further annotation in relation to extant permissions added			
rev	date	drawn	checked
B	03/02/20	SDT	SDT
Building relocated so western edge is inline with approved scheme. Ridge heights amended to create steps in building. Facing stone added to elevations. Gable end added to west elevation to break up facade.			
rev	date	drawn	checked
A	30/05/19	SDT	SDT
Application boundary amended, building position amended			

drawing stage	PLANNING		
drawing status	FOR SUBMISSION		
client	KAREN MASON and GILES RICHELL		
project	NEW DWELLING COLDHILL LANE SAXTON		
drawing title	PROPOSED SITE LAYOUT		
date	04/04/19	drawn	SDT
scale	1:250 @ A3	checked	SDT

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DWG No Rev

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Report Reference Number: 2019/0476/FUL

To: Planning Committee
Date: 2 June 2021
Author: Fiona Ellwood: Principal Planning Officer
Lead Officer: Ruth Hardingham: Planning Development Manager

APPLICATION NUMBER:	2019/0476/FUL	PARISH:	Saxton Parish Council
APPLICANT:	Karen and Giles Mason and Richell	VALID DATE: EXPIRY DATE:	15 th May 2019 10 th July 2019
PROPOSAL:	Erection of new dwelling		
LOCATION:	Land to the west of Saxon Holme Coldhill Lane Saxton		
RECOMMENDATION:	APPROVE		

This application has been brought before Planning Committee as the site is located within the Green Belt and is contrary to the Development Plan but there are Very Special Circumstances to warrant approval.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site comprises part of the large side garden to 'Saxon Holme', a large, detached dwelling on the south west edge of Saxton village. The application site includes the western part of the garden and part of the adjoining land to the west which consists of a large open paddock of mown grass which abuts the cricket club site. The garden to Saxton Holme is bounded to Coldhill Lane by a limestone wall with trees and garden shrubs. Beyond the garden the land is bounded by indigenous hedgerow and trees. The western boundary to the red line site is currently open with no means of

enclosure as this boundary is beyond the garden of Saxon Holme. Within the site there is an existing stable block constructed of breeze block with a tiled roof. The site area is generally flat with a level change between the garden area and the paddock.

The Proposal

- 1.2 The proposal is a revised scheme for a detached dwelling and a carport/garage. There are two extant permission for dwellings on the site (see detailed notes on planning history section below). Access would be onto Coldhill Lane directly south in accordance with a previous approval for a new access. The scheme originally submitted under this application initially had a different red line application site to the previous approvals. This has now been amended to reflect the previous permissions. The design of the dwelling has also been significantly amended in regard of form, siting and materials. It is now a 'T' shape dwelling of traditional limestone under a pantile roof. The dwelling would occupy a similar position to the two previous approvals. The scheme necessitates the removal of a large Norway Maple which is the subject of a TPO. The garage position is now to the south west corner and provides for a cart/barn type design.

Relevant Planning History

- 1.3 The following historical applications are considered to be relevant to the determination of this application.
- CO/2002/1078 (Permitted - 06.12.2002) Alterations and extension to existing dwelling (Saxon Holme) including first floor extension over garage.
 - 2005/0529/FUL (Permitted - 02.09.2005) Erection of an agricultural building on land adjacent to Saxon Holme- Permitted in 2005.
 - 2009/1107/TCO (Permitted - 29.01.2010) Works to trees in a Conservation Area – Permitted in 2010.
 - 2010/0316/FUL (Refused/Allowed) - 17.08.2011) The erection of a two storey dwelling with associated garage/studio following the demolition and re build of existing stable block –(see **Note 1** below);
 - 2016/0783/FUL (Permitted - 09.11.2016) Proposed erection of a new dwelling-revised design for the above. (see **Note 2** below)
 - 2017/1117/FUL (Permitted-18.05.2018) Creation of new access (following closure of existing access) at Saxon Cricket Club. (**Note 3** below)
 - 2017/1127/HDG- (Permitted – 11.05.2018) Hedgerow removal notice
 - 2019/0944/DOC- (Condition decision-31.10.2019) conditions 2,4,5,6 of 2016/0783/FUL
 - 2020/1376/TPO – (PCO-) Removal of 1 no Norway Maple covered by TPO 5/2016. (see **Note 4:** below)
- 1.4 **Note 1:** Members may recall this case. The 2010/0316/FUL was written up with a recommendation for refusal under delegated powers. Unfortunately, the decision notice issued was clerically incorrect. It stated that the decision was to Grant planning

permission but then set out the reasons for refusal. The effect of the decision notice was to grant an unconditional planning permission.

- 1.5 Initially Selby considered it expedient to seek to revoke the permission but following representations and an appeal process it was considered expedient to modify the permission adding appropriate planning conditions. There followed an extensive process through the Planning Inspectorate with claims for costs from objectors.
- 1.6 The outcome was the, then, Secretary of State for Communities and Local Government confirmed a Modification Order under S98 of the 1990 Act. The effect of the order was to confirm the planning permission and to add planning conditions. During the process of reaching the decision, the Inspector accepted that the development had already started. The 2010 application has therefore been started but not completed and remains an extant permission which could be completed at any time.
- 1.7 It allowed a modern large 5 bedroom detached dwelling of limestone, under a welsh slate roof, with areas of cedar cladding, large glazed areas and grey aluminium windows. It also included for a double garage with studio above and a replacement stable block following demolition of the existing block. Access was via a lengthy route on the southern boundary through the entire paddock, emerging adjacent to the cricket club grounds building.
- 1.8 **Note 2:** Following discharge of the relevant conditions, a technical commencement has also been made on Planning Permission Reference 2016/0783/FUL for an alternative design dwelling. Photographs, plans and a letter of confirmation of technical commencement are recorded. This permission also allows a large, detached dwelling similar in scale and footprint to the previous approval. It was a more contemporary design with a mix of limestone, render and cedar wood walls under a tiled roof.
- 1.9 **Note 3:** This application provided for an alternative access breaking through part of the stone wall directly south onto Coldhill Lane replacing the long access through the open land to the west.
- 1.10 **Note 4:** There is a current TPO application 2020/1376/TPO under consideration for the removal of the Norway Maple within the front of the site. A specialist agricultural appraisal has been obtained to assist the consideration of its removal on this and the TPO application.

2 CONSULTATION AND PUBLICITY

2.1 Conservation Officer-First response to initial scheme-

Context: The application site is located within the Saxton Conservation Area and to the southern edge of the village of Saxton. The village is characterised by the use of limestone as a building material. Roof materials vary from clay pantiles to Welsh slate. The scale and design of the buildings within the conservation area differ and includes small terraced single and two storey cottages as well as larger detached two storey properties. Differing roof height levels provide texture to the streetscape, however the

height does not exceed two storey with the exception of the church which should remain the dominant structure within the village. At the southern edge of the village, the plots are more spacious and the density of buildings reduces. Two previous applications have been approved on site; the most recent was in 2016 which saw the approval of a detached dwelling which had a similar height to the neighbouring site, Saxon Holme, the materials were proposed to be limestone and render panels with aluminium windows and a slate and clay pantile roof. It also incorporated a section of cedar panelling.

Assessment: The scheme has a similar appearance to a barn conversion found in the south of England, a clad structure, square openings and large areas of glazing. It is not domestic and has little relevance to its surroundings. There is no garage. There is no objection to a modern design solution, however the materials and design must have some relevance to its context. Being located within a conservation area, there is a duty to preserve or enhance the character or appearance of the conservation area. It is difficult to see how this development will achieve any of this. There has been a Heritage Statement provided, however the content does not reflect the requirements of a Heritage Statement and it does not meet the requirements of the NPPF section 16 or the Planning (Listed Buildings and Conservation Areas) Act 1990. There also appears to be no Design and Access Statement to provide an explanation to the design ethos or how the character of the area has been analysed or influences the development.

Recommendations-There are concerns with the new design in terms of the materials uses and the design approach as there has been little consideration for the character and appearance of the Saxton Conservation Area.

Second response to revised scheme -The amended scheme is a significant improvement due to use of facing stone, pan tiles and simplified form of building. Advice points given include suggesting removal of roof lights, comments about overall scale and massing, impact on the Maple tree, amount of fenestration on the west elevation, stone faced chimneys would be beneficial, no information on boundary treatments, boundary wall to the east is too high (frontage wall to road is lower) and should be local magnesian limestone.

Third Response -Heritage statement now provided and is acceptable. Rooflights have been omitted, wall now tapers down which is beneficial. Loss of the tree is regrettable. Note 5 trees are to be planted to offset loss.

2.2 Landscape Consultant -In order to protect the LILA, local character and setting of the Conservation Area recommend the following clarification and adjustment are needed:

- Existing and proposed levels clearly shown on the plans (the site and adjoining land levels, spot levels and contours)
- Tree protection measures for all existing trees to be retained (to BS5837), as a tree protection plan (also to consider the large tree to the north side of the site potentially with root protection area into the site). Plans to clearly identify all existing trees and hedgerows to be retained / removed.

- The proposed replacement trees to be the following min size : Standard (semi-mature), 4x transplanted, 20-25cm stem girth, min 450cm high, rootball or containerised.
- West side boundary to be post and rail fence with native species mixed hedgerow (at least 2m wide space will be needed for hedgerow growth and maintenance access)
- East side and south side (front) boundary wall to be lower (similar material, style and height as adjoining property front wall).

Notwithstanding the above, if the scheme were to be approved I would recommend a detailed hard and soft landscaping scheme should be conditioned, soft planting to be implemented in the first available planting season, minimum 5 year replacement defects period.

- 2.3 Tree Consultant** – The Applicants advisors believe the tree to be infected with Phytophthora requiring urgent action to fell. The assessment is due to the presence of dark lesions on the tree.

The tree has been re-assessed to determine its current and long-term condition. It is not felt that the lesions are conclusive evidence of infection or even if infection is present this may not lead to severe decline in health in the short term. Laboratory testing would confirm and annual monitoring would provide information on progress of the infection if it exists. Clearance of shrubs close to the tree stem is strongly recommended as this creates damp conditions which assists spread of infection.

Given the change in ground level for the new driveway and turning circle significant damage to root protection zone would occur. For this reason, despite the trees condition removal and replacement is the only realistic option if the driveway and turning circle is to be implemented.

- 2.4 NYCC Highways** -No Objections -Conditions recommended for construction traffic and a Construction Management Plan

- 2.5 Yorkshire Water** - No comments received.

- 2.6 Ainsty (2008) Internal Drainage Board** -Summary- This appears to enlarge the impermeable area on site and has the potential to increase the rate of surface water run-off from the site if this is not effectively constrained. Comments made about surface water and foul sewage and conditions recommended. Contact details given for informative.

Concludes that any approval granted to the proposed development should include the recommended conditions

- 2.7 Parish Council** – first response June 2019

- Potential due to reduction in grassland and increase in hard surfacing to contribute to the risk of flooding.
- materials and design not in keeping within the village, and particular raised to the use of cladding.

- Query whether the site is within the village boundary, or outside development limits.

Parish Council 2nd response - Objection based on the following points;

1. reference to a garage in the supporting notes, but the garage is not shown on the planning application drawings; where is this to be located
2. The foul treatment plant proposed is outside the development curtilage of the village, evidenced by the additional commentary on the site plan which shows the location of the treatment package to be outside the development curtilage
3. The materials -not in keeping with those already used locally;
 - inadequate notation on drawings to illustrate the use of materials in specific locations;
 - a standing seam metal roof, not consistent with the conservation area in such large areas;
 - extensive use of wood cladding to the elevations is inconsistent with the buildings surrounding this proposed structure.
 - prefer more stone and render used in the elevations, to match in with the cricket club, Saxon Holme and Meadowcroft.
4. to limit the impact of flood potential -request all hard standing areas be permeable.
5. How will the protected trees (all within the conservation area) be preserved during construction and beyond? No drawings or method statements are provided in this connection.
6. The design of the proposed house is very modern in format, window shape and material finish. A more traditional approach to the design, coinciding with the conservation principles of the village at large would be better appreciated and would enhance the nature and streetscape of this predominantly limestone village.

2.8 Publicity and Neighbour Notification

The application was advertised by site and press notice.

One letter of response received and the comments are summarised below:

- Development area includes land not in the applicants ownership;
- The relocation of the building means a section is built on land not in the ownership of the applicants and there is an issue of right to light/overshadowing of established garden and how the building will be maintained in the absence of access;
- Difficulties of construction at the north boundary; and
- Have not received a neighbour notification letter.

3 SITE CONSTRAINTS

- 3.1 Apart from a small strip to the east, most of the site is outside the development limits of Saxton, a Secondary Village. The eastern half of the site is within the village Conservation Area Boundary, which extends beyond the development limits. The remainder of the site lies within the 100 metre Conservation Area buffer zone. The whole of the site lies within the Green Belt which washes over the village and the

surrounding countryside. The whole site also lies within a Locally Important Landscape Area. The western part of the site is within an area of land which was included, under a modification to the local plan, as an area designated as Recreation Open Space under Policy RT1. There is a TPO (TPO 5/2016) on some of the trees within the site and along the southern boundary.

4 POLICY CONSIDERATIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.
- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options took place early in 2020. Consultation on preferred options took place in early 2021. 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:

The relevant Core Strategy Policies are:

SP1- Presumption in Favour of Sustainable Development
SP2- Spatial Development Strategy
SP3- Green Belt
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
ENV 15- Conservation of Locally Important Landscape Areas
ENV25 - Development in Conservation Areas
RT1 - Protection of Existing Recreational Open Space

5 APPRAISAL

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

1. Principle of the development and whether the proposal is appropriate development in the Green Belt
2. Impact the openness of the Green Belt.
3. Impact on the character of the area
4. Impact on heritage assets
5. Residential amenity
6. Flood Risk, Drainage and Climate Change
7. Affordable Housing
8. Balancing whether very special circumstances exist sufficient to outweigh the harm to the Green Belt by reason of inappropriateness.

Principle of the development and whether the scheme is appropriate development in the Green Belt

- 5.1 The relevant Development Plan Policies in respect of the principle of this proposal include Policies SP1 “Presumption in Favour of Sustainable Development”, SP2 “Spatial Development Strategy” and SP3 “Green Belts” of the Core Strategy (CS) and RT1 of the Local Plan.
- 5.2 Policy SP1 of the Core Strategy outlines that “when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework” and sets out how this will be undertaken.
- 5.3 The application site lies outside the development limits and is within the Green Belt. Policy SP2 D requires that in the Green Belt, including villages washed over by Green Belt, development must conform to Policy SP3 and national Green Belt policies. Policy SP3 of the Core Strategy aligns with the Green Belt policy in the NPPF. It should therefore, in accordance with para 213 of Annex 1 of the NPPF, be accorded

significant weight. This sets out the fundamental aims of Green Belt land which are to prevent urban sprawl and keep land permanently open and that the essential characteristics of Green Belts are their openness and their permanence as set out at paragraph 133 of the NPPF.

- 5.4 Paragraph 143 of the NPPF provides that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. It then goes on to set out a limited list of exceptions to this. Paragraph 144 also makes clear that inappropriate development should not be approved unless 'Very Special Circumstances' (VSC) exist. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.5 The decision-making process when considering proposals for development in the Green Belt is in three stages, and is as follows: -
- a) It must be determined whether the development is appropriate or inappropriate development in the Green Belt.
 - b) If the development is appropriate, the application should be determined on its own merits.
 - c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies and the development should not be permitted unless there are VSC's which outweigh the presumption against it.
- 5.6 The limited exceptions are set out in paragraphs 145 and 146 of the NPPF.
- 5.7 Paragraph 145 of the NPPF sets out that the construction of new buildings in the Green Belt is inappropriate unless it falls within a number of exceptions. The proposal is for the construction of a new building for use as a dwelling and this does not fall within any of the exceptions provided for in paras 145 or 146 of the NPPF. Since the building is not a replacement the starting point for the consideration is the same as a Greenfield undeveloped site.
- 5.8 It is therefore concluded that the development is inappropriate development in the Green Belt. Paragraph 144 of the NPPF makes clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. VSC's will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.9 The site also lies within an area defined in the Local Plan as Recreation Open Space. The application site encroaches into a large paddock to the west which was included, under a modification to the local plan, as an area designated as Recreation Open Space under Policy RT1 of the Local Plan. Policy RT1 sets out that proposals which would result in the loss of existing Recreation Open Space and allotments will not be permitted unless:

- (i) The use has been abandoned and the site is not required to remedy an existing deficiency for recreation or allotment elsewhere in the district; or
- (ii) Alternative provision of at least the equivalent size, accessibility and quality is made within the locality to serve the needs of the existing community; or
- (iii) sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site.

5.10 The development would result the permanent loss of part of this recreation land site. The site is not currently used for recreation purposes but is part of the wider area of land which includes the cricket pitch and pavilion. However, it is no known whether it is needed to remedy any deficiency here or elsewhere in the district. No alternative provision is offered and the proposal does not include for any enhancement of existing facilities. As such the scheme conflicts with the aims of Policy RT1 of the Local Plan.

Impact on the openness of the Green Belt

- 5.11 The fundamental aim of the Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.12 The openness of the Green Belt has both a visual and a spatial element. In terms of the spatial element the proposed scheme provides one large new dwelling introducing built urban form into an open currently undeveloped site. The presence of the built form of the new building is a significant urban encroachment which reduces the openness of the Green Belt. The creation of the extended garden curtilage and boundary treatments subdivides the paddock land to the west land creating boundary structures further reducing the openness. Overall, the impact of one dwelling and the carport will still result in a significant reduction in openness spatially.
- 5.13 In terms of the visual element, (the visual element of the Green Belt is not an assessment of visual quality), the site is part garden and part open field. It is currently devoid of development and visually green and open. The development would harmfully impair the visual aspects of this part of the Green Belt through the introduction of a substantial new residential dwellings where none previously existed, through the urbanisation of the site with manicured urban curtilage, the surfacing and access road, the boundary treatments dividing and enclosing the land and the overall change to the visually open appearance of this part of the Green Belt.
- 5.14 It is therefore concluded the development reduces the openness of the Green Belt both spatially and visually and conflicts with the fundamental aim of the Green Belt which is to keep land permanently open.

Impact on the Character of the Area

5.15 The relevant policies in respect to design and the impacts on the character of the area include Policies ENV1 (1) and (4) and ENV 15 of the Selby District Local Plan and Policy SP19 "Design Quality" of the Core Strategy. SDLP Policy ENV1 requires the

effect of new development on the character of the area and the standard of design in relation to the site and its surroundings to be considered when considering proposals for new development. Similarly, CS Policy SP19 expects new development to have regard to the local character, identity and context of its surroundings. Paragraph 127 of the NPPF states that, planning decisions should ensure that development; is visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history. Policy ENV 15 sets out that within the Locally Important Landscape Area (LILA) priority will be given to the conservation and enhancement of the character and quality of the landscape. Attention should be given to design, layout landscaping of development and the use of materials in order to minimise its impact and to enhance the traditional character of buildings and landscape in the area.

- 5.12 The site is located within the Locally Important Landscape Area and abuts the edge of the settlement. It is screened by established boundary treatment to the south and there is hedgerow and trees extending along Coldhill Lane which partially screen the site. However, the new dwelling will still be clearly visible within the site from the surrounding area. Coldhill lane rises to the west and the dwelling will be a prominent feature visible above the established boundaries. Views will also be visible from the east within the village as it will sit further forward to the road than its neighbour Saxon Holme. It will also be widely visible from the cricket grounds and the lane to the north. The dwelling due its size, scale and position will clearly have a significant harmful impact in comparison to the current undeveloped site.
- 5.12 However, the fallback position is the two planning permissions which have been started and remain extant. Either of these could be implemented. In comparison the dwelling now proposed, although similar in size, is of a more sympathetic design and materials for this location. It occupies a similar position and footprint but is simpler in form than the last approval and the materials now proposed are Magnesium Limestone and clay pantile roof which reflect the predominant material of the locality. The dwelling has contemporary fenestration features which have been simplified and reduced from the original submission. The dwelling is split into various elements with lowered roof to the south wing to help reduce its impact. It is acknowledged that this could be improved further, however, the design is now a significant improvement over the original submission which was designed to look like a large rectangular agricultural building. Moreover, it is an improvement on both earlier schemes. The first approval was a fairly bland detached large dwelling of stone and slate. The second was a contemporary dwelling with split levels, large amounts of render, wood panelling and random stonework. In contrast this scheme more closely reflects the local materials and is more simple in form with lowered roof sections.
- 5.13 The scheme will result in the loss of one large Norwegian Maple Tree protected by a TPO. This is necessary to achieve the access parking and turning area to the front of the dwelling. The alternative in order to keep the tree would be to revert to the use of the long access through the paddock. Overall, this would have a much more intrusive impact on the locality. The removal of the Maple and the use of the southern access enables the site to be more contained without extensive intrusion into the open recreation land to the west. The applicant has agreed to replace the tree with an oak

which would be protected long term as a TPO replacement planting. It is considered that in the long term, the loss of this tree with the access to the south would be less harmful to the character and appearance of the area. Four further trees are proposed for planting which will enhance the visual character of the site. Full details of these can be agreed via a condition including the timing of their planting and future retention.

- 5.14 Concerns were raised by the Conservation Officer and the Landscape Officer about the boundary treatments which showed a high stone wall to the eastern boundary which would have stood well above the road height. This has now been stepped so that it is only two metres high between the proposed dwelling and its neighbour Saxon Holme but would gradually step down in height towards the road. Post and rail fencing, and indigenous tree planting has been agreed to the western boundary to the west. A suitably worded condition can be imposed to ensure the full details of these are provided and implemented. The modified consent includes a condition requiring the details of the landscaping and boundary treatments to be submitted for approval and sets out a timetable for implementation. This condition can be repeated on this scheme.
- 5.15 Overall the layout, appearance, scale and landscaping of this scheme are considered acceptable in comparison with the previous approvals and therefore there would be no additional harm to the character and appearance of the locality. Moreover, since this scheme would be an improvement on the previous scheme and is contained within the approved site area it would not have any increased impact on the designated Recreation Open Space area or the Locally Important Landscape Area.
- 5.16 In comparison with the previous approvals, the scheme is overall slightly smaller, simpler design, more suitable materials and includes new tree planting and appropriate boundary treatments. Therefore it is considered that the proposals accord with the relevant policies in respect to design and the impacts on the character of the area including Policies ENV1 (1) and (4) and ENV 15 of the Selby District Local Plan and Policy SP19 "Design Quality" of the Core Strategy and policy contained within the NPPF.

Impact on Heritage Assets

- 5.17 Relevant policies in respect to the impact on the character and appearance of Saxton Conservation Area and the Locally Important Landscape Area include Policies ENV1 (5) and ENV15 and ENV25 of the Selby District Local Plan, and Policy SP18 and SP19 of the Core Strategy.
- 5.18 Whilst considering proposals which affect Conservation Areas regard is to be made to S72 (1) and S66 (1) of the Town & Country Planning (Listed Building and Conservation Area) Act 1990 which states that with respect to any buildings or other land in a Conservation Area, of any powers, under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and also requires the Local Planning Authority to 'have special regard to the desirability of preserving the

building or its setting or any features of a special architectural or historic interest which it possesses'.

- 5.19 Policy ENV15 of the Selby District Local Plan requires to prioritise the conservation and enhancement of the character and quality of the landscape and pay particular attention to the design, layout, landscaping of development and the use of materials in order to minimise its impact and to enhance the traditional character of buildings and landscape in the area.
- 5.20 Significant weight will be attached to the Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF. Relevant policies within the NPPF, which relate to development affecting the setting of a Conservation Area, include paragraphs 189, 190, 192, 193, 196 and 197.
- 5.21 Saxton is a village set in a valley surrounded by agricultural landscape. Its character is derived from the traditional limestone buildings and the most prominent feature of the church. Many of its farmsteads within the village have been redeveloped and there have been many infill plots. There is therefore a mix of traditional and more modern dwellings within the village of varying size, design and materials. However, the most usual materials which reflect the traditional character of the village are limestone with either a slate or a clay pantile roof. Many of the properties have stone walls to the street frontage. The application site is on the western edge of the village fronting Coldhill Lane which is rural in character with hedgerows and trees to the road frontage. There is only one other dwelling fronting Coldhill Lane which is Saxon Holme. This is a large white rendered 1930's detached house.
- 5.22 The 2010 extant permission which exists for this site is for a large-detached dwelling with an extensive floor area set out in an 'L' shaped arrangement with a linked double garage. The building proposed was to be constructed in rough faced limestone under a slate roof. It had large aluminium glazed areas and cedar cladding on the west elevation. The 2016 extant permission provided a unique modern character property with varying levels, roof form and a mix of materials including render, stone and timber under a tiled roof. Either of these, due to the sheer volume, scale, design and presence would visually dominate this end of the village and have an adverse effect on the character and appearance of the Conservation Area. However, given the planning history, the baseline from which to assess this proposal is a comparison of the current scheme with the two extant approvals.
- 5.23 In comparison the dwelling now proposed, although similar in size, is of a more sympathetic design and materials for this location. It occupies a similar position but has been pulled further back into the site from the south so does not project so far forward. This will reduce the impact on the streetscape making it appear less prominent than the previous two schemes. The footprint is simpler in form than the last approval and the materials now proposed are Magnesium Limestone and roof materials to be either clay pantile or slate roof with a stone gable which reflect the predominant material of the locality. The dwelling has contemporary fenestration features which have been simplified and reduced from the original submission. The wings are set down to appear lower and subservient to the main part of the house. The garage now proposed is of a

cart barn design – a double garage with oak frame, clay pantile roof, brick base, timber boarded infill to the sides. The position is set forward of the house close to the access. This simple rural design is acceptable in this location and improves on the previous large garage with studio above.

- 5.24 It is acknowledged that this large dwelling on this site is not ideal and would be resisted if the original permission had not been granted. However, the design is now a significant improvement over the original and subsequent approvals. Having had regard to the above and taking into account the NPPF, it is considered that the proposals are considered acceptable with respect to the impact on designated and non-designated heritage assets in accordance with Policies ENV1 of the Selby Local Plan, Policies SP18 and SP19 of the Selby Core Strategy and the NPPF.

Residential amenity

- 5.25 Policy ENV1 of the Selby District Local Plan (2005) requires the District Council to take into account the effect that proposals for development will have on the amenity of adjoining occupiers. Further, one of the twelve core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. In addition to that it is noted that paragraph 127 (f) of the NPPF requires that development creates a high standard of amenity for existing and future users.
- 5.26 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 sheer size, scale and massing of the development proposed.
- 5.27 The proposed dwelling, due to its size, scale, siting, orientation and overall relationship with the neighbouring property Saxon Holme, is not considered to result in any adverse effects of overshadowing or overbearing.
- 5.28 The amended scheme would not have a greater impact on the adjacent dwelling Saxon Holme. A new stone boundary wall would be erected between the two properties ensuring privacy levels are maintained. The dwelling has been designed to avoid overlooking of the adjoining property with main room windows orientated to the west or ground floor. Both previous approvals had a main projecting two storey wing in the south east corner of the site. This scheme will have less impact than the two previous permissions due to being orientated slightly further north and west and is set further away from its neighbour.
- 5.29 It is noted that the windows to the first floor level east elevations which would most affect the neighbouring dwelling, are only bathroom windows which can be obscure glazed. One secondary first floor bedroom window has been agreed to be removed. Given the relationship with the respective neighbouring properties it is considered reasonable and appropriate to remove permitted development rights to create new openings in these elevations to protect amenity in the future. As such, it is considered

that the amenities of the adjacent residents would therefore be preserved in accordance with Policy ENV1 (1) of the Selby District Local Plan.

Flood Risk, Drainage and Climate Change

- 5.30 Relevant policies in respect to flood risk, drainage and climate change include Policy ENV1(3) of the Selby District Local Plan, and Policies SP15 “Sustainable Development and Climate Change”, SP16 “Improving Resource Efficiency” and SP19 “Design Quality” of the Core Strategy. Significant weight should be attached to the Local Plan Policy ENV1 as it is broadly consistent with the aims of the NPPF.
- 5.31 The application site is located in Flood Zone 1 (low probability of flooding) and as such it is not at risk from flooding. The application details state that in respect of surface water run-off drainage will be via soakaway and sustainable drainage system. Foul water is stated to be via a package treatment plant. No conditions were imposed by the Inspector on the original 2010 permission. However, drainage details submitted at the time proposed a sustainable system with a reed bed within the land to the west. Since this application refers to the details previously submitted, conditions are recommended by the drainage board to ensure these details are acceptable and therefore it would be reasonable to impose these on this application.
- 5.32 The proposal is not considered to have significant impact on flood risk, drainage and the sewerage system. Subject to the afore mentioned conditions, the proposed scheme is therefore considered acceptable in accordance with Policy ENV1(3), Policies SP15 and SP16 of the Core Strategy and the NPPF with respect to flood risk, drainage and climate change.

Affordable Housing

- 5.33 Core Strategy Policy SP9 and the accompanying Affordable Housing Supplementary Planning Document (SPD) set 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.
- 5.34 Whilst the Policy seeks financial contributions from sites below the threshold of 10 dwellings, the NPPF is a material consideration and states at Paragraph 63 that provision of affordable housing should not be sought for residential developments which are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). In respect of sites where the yield is to be less than 10 units, a financial contribution is identified as being appropriate. Policy SP9 has in this regard been superseded by the Ministerial Statement and national advice. Tariff style charges such as that identified in Policy SP9 can no longer be applied. The LPA has confirmed that this approach will be applied.

- 5.35 The application is for less than 10 units and the proposal is for a single dwelling. In addition, the proposal is not considered to be major development as defined in Annex 2 of the NPPF.
- 5.36 It is therefore considered that having had regard to Policy SP9 of the Core Strategy, the Affordable Housing SPD and the advice contained within the NPPF, on balance, the application is acceptable without a contribution for affordable housing.

Balancing whether Very Special Circumstances (VSC) exist sufficient to outweigh the harm to the Green Belt by reason of inappropriateness.

- 5.37 It is clear that what is proposed is inappropriate development in the Green Belt. The main issue to assess is whether any of the above matters taken individually or collectively, amount to the VSC necessary to outweigh the harm to the Green Belt through inappropriateness.
- 5.38 What constitutes Very Special Circumstances (VSC), will depend on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker. Firstly, it is to determine whether any individual factor taken by itself outweighs the harm. Secondly to consider whether, a number of factors ordinary combine to create VSC.
- 5.39 The weight to be given to any particular factor will be a matter of degree and planning judgement. There is no formula for providing a ready answer to any development control question on the green belt. Neither is there any categorical way of deciding whether any particular factor is a 'very special circumstance' and the list is endless but the case must be decided on the planning balance qualitatively rather than quantitatively.
- 5.40 The harm that has been identified is the inappropriate development of a new dwelling which does not fall within any of the allowable exceptions set out in the NPPF in the Green Belt. Harm is also identified due to the significant increase in built form and the reduction in the openness of the Green Belt.
- 5.41 The original scheme for a dwelling on this site was granted an unconditional permission in error. Through the Courts it was agreed not expedient to revoke the permission but to modify it and to add conditions. In the process the Inspector declined to impose a S106 Agreement and stated that a Flood Risk Assessment, Recreational Survey and Ecological Survey were not necessary. It was accepted that a lawful commencement had been made within the relevant time period. Conditions were imposed for materials to be agreed, for improvements to the access and for the stable block which exists on the site not to be used commercially.
- 5.42 The two permissions as described in this report are both extant having had lawful commencements made. Either (but not both) of these could be completed at any time. This is a significant fall-back position which contributes to Very Special Circumstances.

- 5.43 The current scheme is an improvement on the previous schemes due to being a better design, a slightly smaller building, the reduction in the garage size and the use of local building materials appropriate to the locality. This is a factor in favour of the scheme and contributes to the case of VSC.
- 5.44 The loss of a substantial tree is a factor against the proposal but this would have occurred on both the extant schemes. In favour of this scheme, 5 new trees would be planted and the applicant has agreed a rural form of boundary treatment on the west side of the site consisting of post and rail fencing with indigenous hedgerow planting. These factors weigh in favour of the scheme compared to the previous approvals.
- 5.45 In comparison with a Greenfield site with no previous development, the above factors put forward by the developer are not considered either individually or collectively to amount to the VSC needed to clearly outweigh the harm to the Green Belt by reason of inappropriateness and the harm to the openness both spatially and visually.
- 5.46 For VSC to exist the harm by reason of inappropriateness needs to be “clearly outweighed”. It is not enough simply to show that the harm and the countervailing considerations are in balance or marginally providing improvement to the site.
- 5.47 In this case, due to fall back position the development of this site wis highly likely to go ahead even if this application were refused. As such this fallback position combined with the clear improvements to the site by the development proposed which this scheme affords, it is considered that these collectively amount to the VSC to clearly outweigh the harm by reason of inappropriateness to the Green Belt.

6.0 CONCLUSION

- 6.1 The development would result the permanent loss of part of an area of land designated as recreation open space. The site is not currently used for recreation purposes but is part of the wider area of land which includes the cricket pitch and pavilion. However, it is not known whether it is needed to remedy any deficiency here or elsewhere in the district. No alternative provision is offered and the proposal does not include for any enhancement of existing facilities. As such the scheme conflicts with the aims of Policy RT1 of the Local Plan.
- 6.2 The proposal to provide one new dwelling is inappropriate development in the Green Belt as it does not fall within any of the exceptions listed in paragraphs 145 and 146 of the NPPF. As such, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is also considered that the development reduces the openness of the green belt both spatially and visually and conflicts with the fundamental aim of the Green Belt which is to keep land permanently open. The development therefore conflicts with Policy SP3 d) of the Core Strategy and with the NPPF
- 6.3 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not result in any harm over and above that of the

two current extant permissions for the site in terms of residential amenity, flood risk, drainage and climate change.

- 6.4 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would result in less harm to the acknowledged interests of Heritage Assets, the character and appearance of the area and the LILA.
- 6.5 In this case, due to fall back position the development of this site is highly likely to go ahead even if this application were refused. Taken collectively, this fallback position combined with the clear improvements to the site by the development proposed which this scheme affords, it is considered that these collectively amount to the Very Special Circumstances to clearly outweigh the harm by reason of inappropriateness to the Green Belt.

7 RECOMMENDATION

7.1 This application is recommended to be APPROVED subject to the conditions set out below:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: (To be inserted).

Reason:

For the avoidance of doubt, and in the interests of proper planning.

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

- Drawing

Reason:

For the avoidance of doubt.

3. Before any work commences above foundation level, the materials to be used in the construction of the external walls and roof of the development together with details of the eaves, verges, finishes and reveals and the boundary walls shall be provided for the written approval of the Local Planning Authority. The walls shall be of natural magnesium limestone walls and the roof in natural clay pantile roof and a sample panel wall to assess the mortar and sample roof material shall be provided on site for the written approval of the local planning authority. Only the approved details and materials shall be used for the development.

Reason:

In the interests of visual amenity and to preserve the character and appearance of the Conservation Area and the LILA in order to comply with Policy ENV1 and ENV15 of the

Selby District Local Plan, Policies SP18 and SP19 of the Core Strategy and advice contained within section 16 of the NPPF.

4. Before the dwelling hereby approved is occupied, details of the trees (species, size and location) to be planted as indicated on the Proposed Site Layout Plan reference 315/01 (02)020 Rev D shall be submitted for the written approval of the Local Planning Authority and shall be the following minimum size; Standard (semi-mature), 4x transplanted, 20-25cm stem girth, min 450cm high, rootball or containerised. The approved trees shall be planted in the first planting season following the bringing into use of the dwelling hereby approved and shall thereafter be maintained and retained for the lifetime of the development. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason:

In the interests of visual amenity and to preserve the character and appearance of the Conservation Area and the LILA in order to comply with Policy ENV1 and ENV15 of the Selby District Local Plan, Policies SP18 and SP19 of the Core Strategy and advice contained within section 16 of the NPPF.

5. No earth movements shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

Reason:

To enable the Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity.

6. Before work starts above foundation level details shall be submitted for the written approval of the local planning authority of all boundary treatments and shall provide for a post and rail fence with indigenous hedge planting along the western boundary, retention of the stone wall to the road frontage (excluding the access) and the details of the stone wall to the east boundary. Thereafter the approved details shall be implemented and retained for the lifetime of the development.

Reason:

To safeguard the character and appearance of the area in accordance with saved Policies ENV1, and ENV25 of the Selby District Local Plan (SDLP), adopted 8 February and Policies SP2 and SP4 of the Selby District Core Strategy (CS), adopted 22 October 2013.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Schedule 2, Part 1, Classes A to H inclusive shall take place on the dwellinghouse hereby permitted or within its curtilage.

Reason:

In the interests of the character and appearance of the Conservation Area, the LILA and because the site is in the Green Belt and has only been approved due to very special circumstances and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

8. No development on the drainage systems for the development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage systems have been implemented in accordance with the approved scheme.

Reason:

To ensure the scheme can be adequately and sustainably drained and to reduce the risk of flooding.

INFORMATIVES

1. As a reminder to the applicant, under the Land Drainage Act 1991 and the Board's byelaws, the Board's consent (outside of the planning process) is needed for any connection and / or discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse, in the Board's district. This applies whether the discharge enters the watercourse either directly or indirectly. Full details of the Consent process can be found on the Board's website:- <http://www.yorkconsort.gov.uk/index.html>

8 Legal Issues

Planning Acts

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

Human Rights Act 1998

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

Equality Act 2010

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

9 Financial Issues

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

10 Background Documents

10.1 Planning Application file reference 2019/0476/FUL and associated documents.

Contact Officer: Fiona Ellwood, Principal Planning Officer
fellwood@selby.gov.uk

Appendices: None

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Agenda Item 6

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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List of Planning Applications Determined by North Yorkshire County Council

Application Number	Applicant	Location	Proposal	SDC Recommendation	Decision and Date
2019/0732/CPO NY/2019/0091/ENV	EP UK Investments Lrd	Eggborough Power Ltd Gale Common Ash Disposal Works Cobcroft Lane Cridling Stubbs	Consultation on planning application accompanied by an environmental statement for the extraction and export of pulverised fuel ash PFA from Lagoons C and D and Stages II and III of the Gale Common Ash Disposal Site and associated development, including the provision of processing plant, extended site loading pad, upgraded site access arrangement and facilities, additional weighbridges and wheel wash facility, extended site office and other ancillary development highway improvement works on Cobcroft Lane/ Whitefield Lane between the site and the A19 and at the Whitefield Lane junction with the A19 and a new access from Cobcroft Lane, car parking and ancillary development in connection with proposals for public access to Stage I	No objections 15-AUG-2019	Permitted 29-APR-2021
2021/0309/CPO NY/2021/0056/FUL	Jeremy Needham	Selby High School Leeds Road Selby	Erection of a canopy (170 sq. m.)	No objections 16-APR-2021	Permitted 29-APR-2021

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List of Planning Applications Determined Under Delegated Powers
The following Planning Applications have been determined by officers under the scheme of Delegation

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0109/DOC	The Coalfield Regeneration Trust	Former Kellingley Colliery Turvers Lane Kellingley Knottingley West Yorkshire WF11 8DT	Discharge of conditions 08 (materials), 09 (proposed ground and finished floor levels), 11 (outdoor lighting), 13 (contaminated land), 18 (surface water), 19 (foul water drainage) and 33 (construction method statement) of approval 2020/0155/S73 - Section 73 application to vary condition 01 (plans) and 02 (employment use) of planning permission reference 2016/1343/OUTM for outline application including means of access (all other matters reserved) for the construction of an employment park up to 1.45 million sqft (135,500sqm) gross floor space (GIA) comprising of B2, B8 and ancillary B1 uses, ancillary non-residential institution (D1) and retail uses (A1- A5) and related ancillary infrastructure) granted on 06 February 2019	CONDITION DECISION 5 May 2021	Jenny Tyreman
2020/0184/FUL	Mr Andrew McAllister	Building Adjacent The Villa Main Street Hemingbrough Selby North Yorkshire	Proposed conversion of barn from ancillary to main house to separate dwelling	PERMITTED 23 Apr 2021	Chris Fairchild

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0213/DOC	Countryside Properties	Land Adjacent Selby Road Eggborough Goole East Yorkshire	Discharge of condition 19 (travel plan) of approval 2017/1131/REMM Reserved matters application relating to access, appearance, landscaping, layout and scale of approval 2015/0356/OUT for residential development	CONDITION DECISION 4 May 2021	Fiona Ellwood
2020/0240/ADV	Mr Ergul Sahin	Ground Floor 45 Gowthorpe Selby YO8 4HE	Advertisement consent for 1 No externally illuminated fascia sign, 1 No non illuminated fascia sign, 1 No non illuminated hanging sign and 2 No non illuminated signs	PERMITTED 13 May 2021	Jac Cruickshank
2020/0341/FUL	Harworth Group PLC	Former Kellingley Colliery Turvers Lane Kellingley Knottingley West Yorkshire WF11 8DT	Proposed access arrangements including the erection of one electric substation	PERMITTED 7 May 2021	Jenny Tyreman
2020/0894/FUL	Mr & Mrs Cowell	The Sidings Sandwath Lane Church Fenton Tadcaster North Yorkshire LS24 9QT	Conversion and extension of garage to form family annexe	PERMITTED 13 May 2021	Irma Sinkeviciene
2020/0977/FUL	Stuart, Janice, Jonathan & Clare Sinclair	Land Between The Jackdaw and 50 Stutton Road Tadcaster	Erection of a 3 bedroom detached dwelling with home office	REFUSED 12 May 2021	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/1038/S73	K Rotherforth	The Kemps Church Street Brotherton Knottingley West Yorkshire WF11 9HE	Section 73 application to remove condition 04 (occupancy) of planning permission 2006/0097/FUL Proposed erection of a self-contained granny flat granted on 06.04.2006	REFUSED 30 Apr 2021	Jenny Tyreman
2020/1124/COU	Fenton Flyer Ltd	The Fenton Flyer Main Street Church Fenton Tadcaster North Yorkshire LS24 9RF	Change of use of garage to hot food takeaway and external alterations to form door, window, fascia board for signage and flue (retrospective)	PERMITTED 13 May 2021	Irma Sinkeviciene
2020/1237/HPA	Mr Turner	24 Garth Drive Hambleton Selby North Yorkshire YO8 9QD	Erection of dormer to the rear and new wall to side boundary, alongside public footpath (Retrospective)	PERMITTED 5 May 2021	Jac Cruickshank
2020/1260/FUL	AS & AE Dear	Osgodby Grange South Duffield Road Osgodby Selby North Yorkshire YO8 5HR	Erection of a concrete panel wall to the external roadside boundary of existing farmyard	PERMITTED 6 May 2021	Bethany Harrison
2020/1349/HPA	Mr & Mrs A Clarke	Cherryholme 1 Main Street Newton Kyme Tadcaster North Yorkshire LS24 9LS	Erection of two storey rear and side extension	PERMITTED 7 May 2021	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/1351/DOC	Countryside Properties	Hodgsons Lane Sherburn In Elmet North Yorkshire	Discharge of condition 23 (remediation) of approval 2015/0544/OUT outline application for up to 270 residential dwellings including details of vehicular access (all other matters reserved)	CONDITION DECISION 26 Apr 2021	Yvonne Naylor
2020/1357/FULM	Renewable Energy Systems Ltd (RES) Ltd	Land off New Road Drax Selby North Yorkshire	Development of an energy storage facility including battery storage containers; substations; power conversion systems; transformers and associated switchgear; HVAC equipment; communications and grid compliance equipment; temporary construction compound; CCTV; fencing; infrared lighting; access, drainage and landscaping works and associated development	PERMITTED 6 May 2021	Jenny Tyreman
2020/1360/FUL	BPS Construction	Land at Wistow Road Selby YO8 3LZ	Erection of 2 No detached dwellings both with integral garages for single vehicles and car parking to front for 2 extra spaces per unit	PERMITTED 12 May 2021	Rebecca Leggott
2020/1398/HPA	Mr John Cooper	Hillcrest 6 Camela Lane Camblesforth Selby North Yorkshire YO8 8HB	Conversion of existing garage into kitchen and garden room	PERMITTED 7 May 2021	Rebecca Leggott
2020/1407/DOC	Mick Baines	Land adjacent to No 3 Chapel Court Camblesforth Selby North Yorkshire	Discharge of condition 03 (materials), 06 (Construction Management Plan) and 08 (Surface Water Drainage) of approval 2020/0612/FUL Erection of detached dwelling and garage	CONDITION DECISION 27 Apr 2021	Diane Holgate

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0004/HPA	Mr Hogan	Bumble Beck 2 Selby Road Riccall York North Yorkshire YO19 6QW	Proposed one and a half storey extension to side of dwelling	PERMITTED 7 May 2021	Elizabeth Maw
2021/0024/LBC	Mr Andrew McAllister	Building adjacent The Villa Main Street Hemingbrough Selby North Yorkshire	Listed building consent for conversion of barn to dwelling	PERMITTED 23 Apr 2021	Chris Fairchild
2021/0030/HPA	Mr Richard Wright	The Old Shop Oxmoor Lane Biggin Leeds West Yorkshire LS25 6HJ	Demolition of existing single storey side extension and partial demolition of existing garage (north corner) and erection of a two storey side extension	PERMITTED 27 Apr 2021	Mandy Cooper
2021/0042/TPO	Mr Alan William Swann	The Sycamores Brayton Lane Brayton Selby North Yorkshire YO8 9DU	Application for consent to fell Scots Pine tree covered by TPO 3/1979	PERMITTED 29 Apr 2021	Will Smith
2021/0102/HPA	Mr & Mrs G Wilford	Meadow View West Lane Burn Selby North Yorkshire YO8 8LR	Erection of single storey rear extension	PERMITTED 6 May 2021	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0113/FUL	Mr Ian Campey	Unicorn Inn 15 Bondgate Selby YO8 3LX	Erection of a two storey side extension (to allow a larger family/ function room at ground floor and two additional rooms for overnight stays at first floor (Class C1)) and a porch infill extension with roof overhang to rear	PERMITTED 10 May 2021	Elizabeth Maw
2021/0117/HPA	Alexandra Plummer	11 Westfield Lane South Milford Leeds West Yorkshire LS25 5AP	Erection of part two, part single storey front extension, loft conversion including raising ridge height with rear dormer and alterations to fenestrations	PERMITTED 23 Apr 2021	Elizabeth Maw
2021/0121/DOC	Persimmon Homes Yorkshire	Staynor Link Selby North Yorkshire	Discharge of condition 12 (Staynor Hall Community Centre Logo, Staynor Hall Community Centre Logo Colour-01) and 20 (street lighting) of approval 2015/0580/EIA Reserved matters application for the erection of No.44 dwellings, community facilities and retail units following outline approval 8/19/1011C/PA (CO/2002/1185)	CONDITION DECISION 23 Apr 2021	Chris Fairchild
2021/0127/HPA	Hannah Lorraine Bryden	17 The Mount Selby YO8 9BH	Proposed two storey side extension to include 2 No bedrooms over a storage area and utility room, with the existing dormers extended across into the existing roof	PERMITTED 30 Apr 2021	Jac Cruickshank
2021/0132/TPO	Mr Mike Allison	The Wickets Hillam Common Lane Hillam Leeds West Yorkshire LS25 5HP	Application for consent to crown reduce by 5% and crown lift by 2m to 1no Lime tree and prune away from the property covered by TPO 8/1979	PERMITTED 10 May 2021	Will Smith
2021/0150/HPA	Mr Phillip Bradford	13 Auster Bank Avenue Tadcaster LS24 8AZ	Erection of a single storey side and single and two-storey rear extensions	PERMITTED 23 Apr 2021	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0153/HPA	M William Sherwood	15 Westfield Crescent Tadcaster LS24 9JQ	Erection of two storey side extension to provide additional living accommodation	PERMITTED 4 May 2021	Irma Sinkeviciene
2021/0158/FUL	Mr Edward Batley	Haigh End Farm Doncaster Road Whitley Goole East Yorkshire DN14 0JW	Construction of a concrete apron to replace existing unmade surfaces to reduce sediment runoff	PERMITTED 11 May 2021	Jac Cruickshank
2021/0169/HPA	Mrs Jackie Longbottom	22 Ledgate Lane Burton Salmon Leeds West Yorkshire LS25 5JY	Gates to entrance of property	PERMITTED 4 May 2021	Bethany Harrison
2021/0175/DOC	Mr D R Marshall & Hudson	Cragland Milford Road South Milford Leeds West Yorkshire LS25 5AD	Discharge of conditions 11 (construction method statement), 13 (foul & surface water drainage), 14 (landscaping), 17 (fencing) & 18 (fencing) of planning permission 2020/0958/FUL Substitution of house types for plots 2 and 3 of previously approved permission 2019/0918/FUL	CONDITION DECISION 5 May 2021	Gareth Stent
2021/0181/HPA	Jane Chalk	41 The Fairway Tadcaster LS24 9HL	Demolition of conservatory and garage and erection of single storey rear extension and replacement garage	PERMITTED 30 Apr 2021	Bethany Harrison
2021/0192/HPA	Michael Fawcett	46 North Drive Sherburn In Elmet North Yorkshire LS25 6DB	Single storey front, side and rear extensions, alterations to fenestrations, brickwork wall cladding and metal roof sheeting replaced with tiles	PERMITTED 30 Apr 2021	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0193/HPA	Mr & Mrs J Murphy	47 Maypole Gardens Cawood Selby North Yorkshire YO8 3TG	Single storey rear extension and garage conversion	PERMITTED 7 May 2021	Jac Cruickshank
2021/0194/HPA	Mr Stephen Mennell	The Croft Long Drax Village Selby YO8 8NH	Side extension	PERMITTED 11 May 2021	Jac Cruickshank
2021/0215/HPA	Mr Ian Davies	Silvertrees Brayton Lane Brayton Selby North Yorkshire YO8 9DZ	Kitchen extension to rear of property, loft conversion and garage extension	PERMITTED 11 May 2021	Jac Cruickshank
2021/0217/HPA	Oliver Wright	187 Leeds Road Selby YO8 4JH	Demolition of existing rear single storey conservatory, construction of new single storey conservatory, construction of new single storey kitchen, partial removal of existing roof, creation of additional first floor bedroom accommodation by raising the existing walls to first floor level to existing ground floor garage and ground floor family room and creation of new single storey front elevation bay and porch	PERMITTED 7 May 2021	Jac Cruickshank
2021/0239/HPA	Mr & Mrs Rhodes	6 Back Lane North Duffield Selby North Yorkshire YO8 5RJ	Erection of single storey rear extension	PERMITTED 7 May 2021	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0250/FUL	Miss Victoria Andrews	The Fossards Osgodby Selby North Yorkshire	Construction of a single detached dwelling including associated external works and landscape	PERMITTED 11 May 2021	Rebecca Leggott
2021/0253/TPO	Ms K Eagland	Yew Tree House Main Street Bilbrough York YO23 3PH	Reduce crown height and spread by approximately 1-1.5 metres to provide clearance from the house and improve light into the garden to 1 No Yew tree (T2) covered by TPO 39/1989	PERMITTED 13 May 2021	Will Smith
2021/0255/HPA	Claire Hyde	11 Maple Close South Milford Selby North Yorkshire LS25 5NP	Single storey side extension	PERMITTED 7 May 2021	Jac Cruickshank
2021/0263/HPA	Mr & Mrs G Field	Redwood House York Road Cliffe Selby North Yorkshire YO8 6NU	Single storey extension to the side to from an annexe	PERMITTED 11 May 2021	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0264/DOC	Yorkshire Water Services LTD	Sewage Disposal Works Stocking Lane Hillam Selby North Yorkshire	Discharge of condition 5 (decommission) of approval 2018/1330/FULM Retrospective application for above ground apparatus associated with new sewage pumping station and large diameter storage underground storage pipes, including new access off the highway at Stocking Lane, new access track between Stocking Lane and the underground pumping station, with turning head, multiple manhole covers with concrete surround, ground re-profiling within the field area over large diameter underground storage pipes, ventilation stack, above ground swan neck pipe work, site security fencing and two weatherproof plant enclosures	CONDITION DECISION 27 Apr 2021	Diane Holgate
2021/0266/TCA	Mr Paul Grundy	145 Gowthorpe Selby YO8 4HD	Application for consent to crown reduce by 25% to 1no Lime tree, 1no Acacia tree, 1no Beech tree, 1no Maple tree and 1no Sycamore tree and to fell 15no Conifer trees and to crown reduce by 50% to 2no Conifers and 1no Holly tree within the conservation area	PERMITTED 12 May 2021	Will Smith
2021/0271/MAN2	D Noble Ltd	Hull Road Osgodby Selby North Yorkshire	Non material amendment of 2015/0433/OUT Outline application with all matters reserved for a residential development on land to the west of Mill Hill Cottage	PERMITTED 29 Apr 2021	Fiona Ellwood

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0284/HPA	Mr J Lancaster	Lund House 8 Wenlock Drive Escrick Selby North Yorkshire YO19 6JB	Erection of first floor ensuite side extension	PERMITTED 7 May 2021	Jac Cruickshank
2021/0285/TPO	Martin Durham	Cobblestones Cat Lane Bilbrough Selby North Yorkshire YO23 3PN	Crown thin/reduce west stem of T10 (Horse Chestnut) above 7.5m by up to 50% and remove dead / diseased / damaged / dangerous branches from east stem covered by TPO 11/2003	PERMITTED 12 May 2021	Will Smith
2021/0300/PPP	Mr B Smith	Violet Hill Farm Moor Lane Ryther Tadcaster North Yorkshire LS24 9EJ	Lawful development certificate for proposed single storey side and rear extensions to existing dwelling	PERMITTED 5 May 2021	Jac Cruickshank
2021/0308/TCA	Mr Tom Fairfax	Memorial Garden Moor Lane Bilbrough York North Yorkshire	Application for consent to fell and remove 3no Cypress trees	PERMITTED 10 May 2021	Will Smith
2021/0317/HPA	Mr & Mrs M Harrison	9 Cathcart Close Whitley Selby North Yorkshire DN14 0JE	Erection of new front porch and detached annexe/studio to the rear with the addition of replacing the existing driveway with block paving	PERMITTED 12 May 2021	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0333/CPP	Thomas Hughes	5 The Bales South Milford Selby North Yorkshire LS25 5GG	Lawful development certificate for proposed single storey rear extension	PERMITTED 4 May 2021	Bethany Harrison
2021/0340/TCA	Mr I Crowther	Mali House Main Street Hemingbrough Selby North Yorkshire YO8 6QE	Application for consent to remove 1no Conifer (T1) within the conservation area	PERMITTED 23 Apr 2021	Will Smith
2021/0389/MAN2	Mr Joseph Kennard	29 Bainbridge Drive Selby North Yorkshire YO8 4QN	Non material amendment of 2020/1022/HPA proposed single storey side and rear extension to existing semi-detached house to create additional living accommodation	PERMITTED 7 May 2021	Jac Cruickshank
2021/0391/MAN2	Mr Ian Campey	Unicorn Inn 15 Bondgate Selby North Yorkshire YO8 3LX	Non material amendment of 2018/0422/FUL: Proposed new floor layout at first floor	PERMITTED 5 May 2021	Elizabeth Maw
2021/0393/TCA	Mr Brian Greaves	Church Cottage Silver Street Riccall Selby North Yorkshire YO19 6PB	Application for consent to crown lift 1No Oak tree to 5m above ground level and thin out canopy by 30% in the conservation area	PERMITTED 10 May 2021	Will Smith

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0408/MAN2	Mr David Draper	7 Byram Park Avenue Byram Selby North Yorkshire WF11 9EH	Non material amendment of 2020/0469/S73 Section 73 to vary/remove condition 03 (tree/root protection plan) of approval 2019/0748/HPA for proposed erection of single storey rear extension with a raised platform and a pergola granted on 15 January	REFUSED 11 May 2021	Irma Sinkeviciene
2021/0448/MAN2	Mr M Jeffrey	Hull Road Osgodby Selby North Yorkshire	Non material amendment of 2020/1190/FUL Construction of a single detached dwelling, including associated external works and landscape	PERMITTED 23 Apr 2021	Rebecca Leggott
2021/0472/SCN	WSP	Selby Station Station Road Selby North Yorkshire YO8 4NW	EIA Screening opinion request for the Selby Gateway scheme. The Proposed Scheme will comprise an enhanced public realm, walking and cycling routes, improved visual amenity and an improved gateway experience at the Selby Rail Station. The scope covers six key elements; Selby Station Gateway, Cowie Drive and proposed car park, Crescent / Park Street junction, Ousegate Riverside, Olympia Bridge and Shipyard Road	EIA REQUIRED 11 May 2021	Rebecca Leggott
2021/0479/MAN2	Mr Matthew Abraham-Thomas	Ardara Station Road Church Fenton Tadcaster North Yorkshire LS24 9RA	Non material amendment of 2020/0795/HPA Erection of side and rear extension to existing detached garage	PERMITTED 6 May 2021	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0488/DOC	Roche Healthcare	Mansion House 164 Main Road Drax Selby North Yorkshire YO8 8NJ	Discharge of condition 04 (Archaeology) of approval 2018/0057/FULM The proposed erection of an extension to a nursing home and the proposed erection of a detached building to the nursing home	CONDITION DECISION 29 Apr 2021	Fiona Ellwood
2021/0504/TELB	CTIL & Telefonica UK Ltd	Mast 192m from Quality Hotel Low Street South Milford Selby North Yorkshire	Removal and replacement of 6no antennas on existing headframe and installation and relocation of ancillary equipment on the existing headframe and ancillary development	TELECOMMUNICATIONS - NOT REQUIRED 4 May 2021	Bethany Harrison
2020/0511/COU	Mr Rob Smith	2 Silver Street Riccall Selby North Yorkshire YO19 6PA	Change of use of a former shop to residential to unify both floors of the building into one domestic dwelling and removal of existing shop front to domestic window and front door.	PERMITTED 13 May 2021	Jac Cruickshank

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.

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