



Meeting: **PLANNING COMMITTEE**
Date: **WEDNESDAY, 9 MARCH 2022**
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 C Richardson**

Agenda

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

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

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

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

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

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

- 3. Chair's Address to the Planning Committee**
- 4. Minutes (Pages 1 - 12)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 9 February 2022.

- 5. **Planning Applications Received (Pages 17 - 18)**
 - 5.1. **2020/0014/FULM - Land Off Barff View, Burn (Pages 19 - 54)**
 - 5.2. **2021/1463/HPA - 31 Brunswick Crescent, Sherburn in Elmet (Pages 55 - 66)**

Janet Waggott

Janet Waggott, Chief Executive

Dates of next meetings (2.00pm) Wednesday, 6 April 2022

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

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.



Minutes

Planning Committee

Venue: Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT

Date: Wednesday, 9 February 2022

Time: 2.00 pm

Present: Councillor J Cattnach in the Chair

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

Councillor R Musgrave as substitute

Officers Present: Martin Grainger, Head of Planning, Ruth Hardingham, Planning Development Management, Glenn Sharpe, Solicitor, Fiona Ellwood, Principal Planning Officer, Gareth Stent, Principal Planning Officer, Jenny Tyreman, Assistant Principal Planning Officer, Mandy Cooper, Senior Planning Officer, Victoria Foreman, Democratic Services Officer

Press: 0

Public: 12

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Chilvers and M Topping; Councillor R Musgrave was in attendance as a substitute for Councillor Topping.

56 DISCLOSURES OF INTEREST

Councillor R Musgrave declared a non-pecuniary interest in agenda item 5.1 – Staynor Hall, Abbots Road, Selby, as he was Executive Member for Place Shaping and, as such, had discussed the Staynor Hall scheme numerous times; as such he confirmed that he would not take part in the debate or the vote but was not required to leave the meeting during consideration thereof.

Councillor R Musgrave declared a non-pecuniary interest in agenda item 5.2 – Low Farm, Low Road, Bolton Percy as he knew the applicant. He would step

away from the committee and not take any part in the debate and the vote on the item but would be speaking as a Ward Councillor.

Councillor R Musgrave declared a non-pecuniary interest in agenda item 6 – Yorkshire Green Energy Enablement Project, known as Yorkshire GREEN – Nationally Significant Infrastructure Project, as the recommendation in the reported delegated part of the decision to himself as Executive Member for Place Shaping and the Director for Economic Regeneration and Place. As such, he would leave the meeting and not take any part in the debate or decision on the item.

All Committee Members declared a non-pecuniary interest in agenda item 5.1 – Staynor Hall, Abbots Road, Selby as they had received a representation from the applicant but would not be required to leave the meeting during consideration thereof.

57 CHAIR'S ADDRESS TO THE PLANNING COMMITTEE

The Chair announced that an Officer Update Note had been circulated and was available to view alongside the agenda on the Council's website.

The Committee noted that any late representations on the applications would be summarised by the Officer in their presentation.

58 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 12 January 2022.

RESOLVED:

To approve the minutes of the Planning Committee meeting held on 12 January 2022 for signing by the Chairman.

59 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications.

59.1 2015/0452/EIA - STAYNOR HALL, ABBOTS ROAD, SELBY

Application: 2015/0452/EIA

Location: Staynor Hall, Abbots Road, Selby

Proposal: Reserved matters application for the erection of 215 dwellings following outline approval CO/2002/1185 (8/19/1011C/PA) for the erection of 1200 dwellings (4 existing to be demolished) employment, public open space, shopping and community facilities (including up to 2,000 sq m of shops) together with associated footpaths, cycleways, roads, engineering at Phase 4

The Principal Planning Officer presented the application which had been previously presented to the meeting of the committee on 10 November 2021 and deferred for a site visit to look at the impact of the new access to Staynor Avenue at peak traffic times, to allow Officers to explore alternative access arrangements and to assess the impact on the woodland. The deferment was also to allow the Landscape Architect to be consulted.

Members noted that the application was a reserved matters application for the erection of 215 dwellings following outline approval CO/2002/1185 (8/19/1011C/PA) for the erection of 1200 dwellings (4 existing to be demolished) employment, public open space, shopping and community facilities (including up to 2,000 sq. m of shops) together with associated footpaths, cycleways, roads, engineering at Phase 4.

The Committee considered the Officer Update Note which set out extra information including further comments from the agent, impact of the changes on the residents of numbers 2 to 16 Staynor Avenue, re-consultation of Selby Town Council on amended plans, clarity that the plan referred to in paragraph 3.20 would be within the presentation, the response from the Highways Authority, and an amended condition and recommendation.

The Committee asked numerous questions of the Officer about the scheme, in particular about the fact that the consultation with Selby Town Council was still open and commented that the decision should be subject to the expiry of the consultation with the Town Council on 14 February 2022 and the application publicity on 15 February 2022.

Officers confirmed that no further comments had been received from Selby College since 27 January 2022, and that an additional condition regarding access for all construction vehicles being through phase 3 in the south-eastern corner of the site, with no construction vehicles being taken from the proposed Staynor Avenue emergency access, could be added.

Paul Butler and Steve Windass, agents, with the agreement of the Chair shared the five minutes to speak and spoke in favour the application.

Members debated the application further and were pleased that a great deal of work had been undertaken

since the committee had last considered the application, specifically relating to the woodland, access and traffic. The committee were pleased that Selby College and local residents were all content.

Officers confirmed that there were some highways checks to be undertaken which may result in some small adjustments within the plans; these would be discussed again with the Highways Team and agreements would follow.

It was proposed and seconded that the application be MINDED TO GRANT; a vote was taken and was carried.

RESOLVED:

1. That the application be MINDED TO GRANT, subject to:

- the conditions set out at paragraph 7 of the report and Officer Update Note;
- the expiry of the publicity period for the application on 15 February 2022 and expiry of the consultation with Selby Town Council on 14 February 2022;
- the following additional condition:

That all construction vehicles shall access the site through phase 3 in the south eastern corner of the site, with no construction vehicles being taken from the proposed Staynor Avenue emergency access.

Reason

In the interests of highway safety due to the conflict of the Staynor Avenue emergency access and the college.

and;

- the delegation of outstanding highway changes being made to the satisfaction of NYCC

Highways, and if the changes were considered minor and fell within the framework of the existing recommendation, the Head of Planning, in consultation with the Chair of the Planning Committee, delegate the decision to release the reserved matter approval.

- 2. That following the expiry of the publicity the Head of Planning and/or Planning Development Manger be authorised to issue the Reserved Matters permission.**

59.2 2019/0522/FUL - LOW FARM, LOW FARM ROAD, BOLTON PERCY

Councillor R Musgrave stepped away from the Committee at this point in order to be able to speak as Ward Member.

Application: 2019/0522/FUL

Location: Low Farm, Low Farm Road, Bolton Percy

Proposal: Proposed erection of a three-bedroom dwelling and garage following demolition of existing buildings

The Senior Planning Officer presented the application which had been brought before Planning Committee at the request of the Head of Planning Services.

Members noted that the application was for the proposed erection of a three-bedroom dwelling and garage following demolition of existing buildings.

The Committee considered the Officer Update Note which set out extra information including clarification of some errors in paragraphs 2.13 and 5.28 of the report, additional comments from Ecology and an additional representation received from a neighbouring occupant.

The Committee asked numerous questions of the Officer about the scheme, in particular about the refusals of the previous 2017 and 2018 applications and whether they had been considered by the Planning Committee; Officers confirmed that the application before Members was essentially the same as the previous applications, both of which had been refused.

Councillor Richard Musgrave, Ward Member spoke in favour of the application.

Jennifer Hubbard, agent, spoke in favour of the application.

Members debated the application further, with some of the opinion that the application should not be granted for numerous reasons, including the fact that it was outside development limits and in the open countryside that undermined the Council's Development Plan, which was in force until 2027. The proposal was not in any categories of development in the countryside and would not be sustainable. Whilst the Council was in the process of updating the Local Plan, there were no indicators of what changes would be made and where; as such, no weight could be given to prospective policy changes that would allow the application.

Some Members felt that the application should be deferred and a site visit undertaken; however, the point was made by others that there had been no changes to the scheme for the past four years, and no appeal against previous refusals.

It was proposed and seconded that the application be refused; a vote was taken and was carried.

RESOLVED:

That the application REFUSED for the reasons set out at paragraph 7 of the report.

59.3 2019/1328/REMM - LAND ADJACENT ASPEN GROVE, WEELAND ROAD, EGGBOROUGH

Councillor R Musgrave re-joined the Committee at this point.

Application: 2019/1328/REMM

Location: Land Adjacent Aspen Grove, Weeland Road, Eggborough

Proposal: Reserved matters application (appearance, landscaping, layout, and scale) for the erection of 30 residential dwellings, pursuant to outline permission reference 2016/0124/OUT

The Assistant Principal Planning Officer presented the application which had been brought before Planning

Committee as the proposals reduced the amount of recreational open space to be provided on site from the 2,900 square metres agreed by the Planning Inspectorate in December 2016 to 1,800 square metres.

Furthermore, notwithstanding conditions attached to the outline planning permission requiring surface water drainage details to be submitted to and agreed by the Local Planning Authority by way of a discharge of condition application, the applicant now proposed to provide an off-site attenuation basin as part of the surface water drainage proposals, which required planning permission in its own right as opposed to a discharge of condition application, as the works were on land outside of the red line boundary. This was the subject of planning application reference 2020/1369/FUL, which had also been brought before Planning Committee for consideration, and was the next item on the agenda, given its link to this application.

Members noted that the application was a reserved matters application (appearance, landscaping, layout, and scale) for the erection of 30 residential dwellings, pursuant to outline permission reference 2016/0124/OUT.

The Committee considered the Officer Update Note which set out extra information including the removal of some wording from condition 8 to instead form an informative and two additional conditions.

The Committee asked numerous questions of the Officer about the scheme, in particular about the installation of SUDS on site and the discharge of foul water. Officers advised that detail around the SUDS and drainage on the site would be included in the following agenda item due for consideration by Members.

Jonathan Ainley, agent, was invited to speak at the meeting and spoke in support of the application.

Members debated the application further and expressed some reservations about the scheme's design particularly about the siting of the recreational open space, and the cramped nature of the boundary in some places. Officers assured Members that extensive discussions and work had been undertaken on the proposals with the applicants and that the scheme as presented to the Committee was a result of those discussion and work, with amendments having been

made to the scheme throughout the application process.

Further comments were made about foul drainage but Members were reminded that the application was reserved matters and as such the principle of development had already been agreed; as such, there would be no condition relating to foul drainage. Officers emphasised that there had been no comments to the contrary regarding drainage.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to completion of Deed of Variation, the conditions at paragraph 7 of the report and the conditions as amended and added in the Officer Update Note.

59.4 2020/1369/FUL - LAND ADJACENT TEASEL HALL, WEELAND ROAD, EGGBOROUGH

Application: 2020/1369/FUL

Location: Land Adjacent Teasel Hall, Weeland Road, Eggborough

Proposal: Installation of a Sustainable Drainage System (SuDS) basin in respect of the adjacent residential development for 30 dwellings

The Assistant Principal Planning Officer presented the application which had been brought before Planning Committee as it related to planning application reference 2019/1328/REMM, which had also been brought before Planning Committee for consideration and was the previous item on the agenda. Notwithstanding conditions attached to outline planning permission reference 2016/0124/OUT requiring surface water drainage details to be submitted to and agreed by the Local Planning Authority by way of a discharge of condition application, the applicant now proposed to provide an off-site attenuation basin as part of the surface water drainage proposals. This required planning permission in its own right as opposed to a discharge of condition application, as the works were on land outside of the red line boundary.

Members noted that the application was for the installation of a Sustainable Drainage System (SuDS)

basin in respect of the adjacent residential development for 30 dwellings.

The Committee considered the Officer Update Note which set out details of an additional condition.

Members asked about the retention of the agricultural appearance of the site and the usual arrangement for water storage in a holding tank, which Officers confirmed. The Committee also asked which Drainage Board the site would come under; Officers explained that the names had recently changed but that the correct board was included in the scheme's consultation. Members were pleased to note that there was a management plan in place to maintain the infrastructure and that whilst vehicular access for such works would be through the residential site, the access road around the basin was wide enough at three metres.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions at paragraph 7 of the report and the Officer Update Note.

59.5 2021/0101/FUL - RUSHOLME HALL, RUSHOLME LANE, NEWLAND

Application: 2021/0101/FUL

Location: Rusholme Hall, Rusholme Lane, Newland

Proposal: Restoration of Rusholme Hall back to Residential Use (Use Class C3)

The Principal Planning Officer presented the application which had been brought before Planning Committee as the proposal was contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan) but it was considered that there were material considerations which would justify approval of the application.

Members noted that the application was for the restoration of Rusholme Hall back to Residential Use (Use Class C3).

Officers explained that there had been minor changes to condition 8 to also include reference to the rear curtilage

and that the approved details would be implemented within six months of occupation instead of three.

With regards to paragraph 5.16 of the report, the Committee noted that comments from the Urban Design Team and Conservation Officer had been considered; it was not a graded building, but simply locally historically significant. As such it did not need to be retained as much of the internal timber needed replacement due to its condition.

It was proposed and seconded that the application be GRANTED; a vote was taken and was carried.

RESOLVED:

That the application be GRANTED subject to the conditions at paragraph 7 of the report and the amendments to Condition 8, as set out below:

0.1 The dwelling shall not be occupied until a detailed layout plan for front and rear curtilage area has been submitted for the written approval of the Local Planning Authority to provide for vehicle access and parking to the front of the property, full details of boundary treatments, hard surfacing materials and landscaping. Thereafter the approved details shall be implemented within 6 months of occupation and maintained for the lifetime of the development.

Reason:

To ensure the adequate parking provision, site landscaping and boundary treatment appropriate for the setting of Rusholme Hall.

60 YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT, KNOWN AS YORKSHIRE GREEN - NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

Councillor R Musgrave left the meeting at this point and did not return.

The Committee received a report which set out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these were dealt with.

Officers explained that on 1 April 2012, under the Localism Act of 2011, PINS became the agency responsible for operating the planning process for NSIPs. NSIPs were large scale developments such as new harbours, power generating stations (including wind farms) and electricity transmission lines which required a type of consent known as a DCO under procedures governed by the Planning Act 2008 (and amended by the Localism Act 2011). This was not a 'planning application' under the Town and Country Planning Act 1990, and the status of the development plan was different in that the principal guidance for their determination was contained within the suite of Energy National Policy Statements (NSPs).

Members noted that the 2008 Act set out thresholds above which certain types of infrastructure development were considered to be 'nationally significant' and required the granting of a consent order. NSIPs were introduced as a fast-track method and alternative way of dealing with nationally important infrastructure after the much-publicised delays in the consenting of Heathrow's last major expansion proposal for a fifth terminal. In England, PINS examines applications for DCOs from the energy, transport, waste, wastewater and water sectors. For such projects, PINS undertakes an examination of the application and makes a recommendation to the relevant Secretary of State, who makes the final decision on whether to grant or to refuse the DCO. Energy NSPs introduce a presumption in favour of granting DCOs.

Officers went on to explain that National Grid Electricity Transmission was proposing to submit an application for a DCO to upgrade and reinforce the electricity transmission system in Yorkshire, spanning five local authority areas including Selby District, and that the scheme was Nationally Significant Infrastructure Project (NSIP) to be determined by PINS. Two rounds of public consultation had taken place in 2021; non-statutory consultation took place in quarter 1 of 2021; statutory consultation took place in quarter 4 of 2021. It was anticipated that National Grid Electricity Transmission would submit their DCO application to PINS during quarter 4 of 2022 or quarter 1 of 2023.

The Officer Update Note set out details of the amended recommendation, as well as a correction at paragraph 3.5 of the report; the words 'Drax Power Limited' were to be replaced with the words 'National Grid Electricity Transmission'. Officers also made Members aware that Appendix 1 – Overall Location Plan for Yorkshire GREEN Project was missing from the agenda; this would be shown in the PowerPoint presentation at the meeting.

The recommendations contained within the report, as updated by the Officer Update Note, were proposed and seconded.

RESOLVED:

- 1. That the contents of the report be noted.**
- 2. That authorisation was sought from the Executive to authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for**

Place Shaping to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

The meeting closed at 4.09 pm.

Planning Committee

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

1. The legislation that allowed Councils to take decisions remotely came to an end on 7 May 2021. As such, Planning Committee meetings are now back to being held 'in person', but the Council still needs to be mindful of the number of attendees due to Covid-19. If you are planning to attend a meeting of the Committee in person, we would ask you to please let Democratic Services know as soon as possible. The meetings will still be available to watch live online.
2. If you are intending to speak at the meeting, **you can do so remotely or in person**. If you cannot attend in person and don't wish to speak remotely, **you will need to provide a copy of what you wanted to say so it can be read out on your behalf**.
3. 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.
4. 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.
5. 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>
6. 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.
7. The next part is the public speaking process at the committee. Speakers attending the meeting in person and are encouraged to comply with Covid-safe procedures in the Council Chamber such as social distancing, mask wearing (unless exempt), sanitising of hands etc.
8. The following speakers 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 (in person or remotely via Microsoft Teams) 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. If registered to speak but unable to attend in person, speakers are asked to 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).
- 10. Those registered to speak remotely are also asked to provide a copy of their speech so that their representation can be read out on their behalf (for the allotted five minutes) if they have technical issues and are unable to do so.
- 11. 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.
- 12. The number of people that can access the Civic Suite will need to be safely monitored due to Covid.
- 13. When speaking in person, speakers will be asked to come up to a desk from the public gallery, 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. Speakers doing so remotely (online via Microsoft Teams) will be asked to access the meeting when their item begins and leave when they have finished speaking. They can then watch the rest of the meeting as it is streamed live on YouTube.
- 15. 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.
- 16. The members of the committee will then debate the application, consider the recommendations and then make a decision on the application.
- 17. 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.

18. 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.
19. This is a council committee meeting which is open to the public.
20. 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
21. The arrangements at the meeting may be varied at the discretion of the Chairman.
22. 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.
23. Please note that the meetings will be streamed live on YouTube and are recorded as a matter of course for future viewing.
24. These procedures are being regularly reviewed.

Contact: Democratic Services

Email: democraticservices@selby.gov.uk

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Agenda Item 5

Items for Planning Committee – 9 March 2022

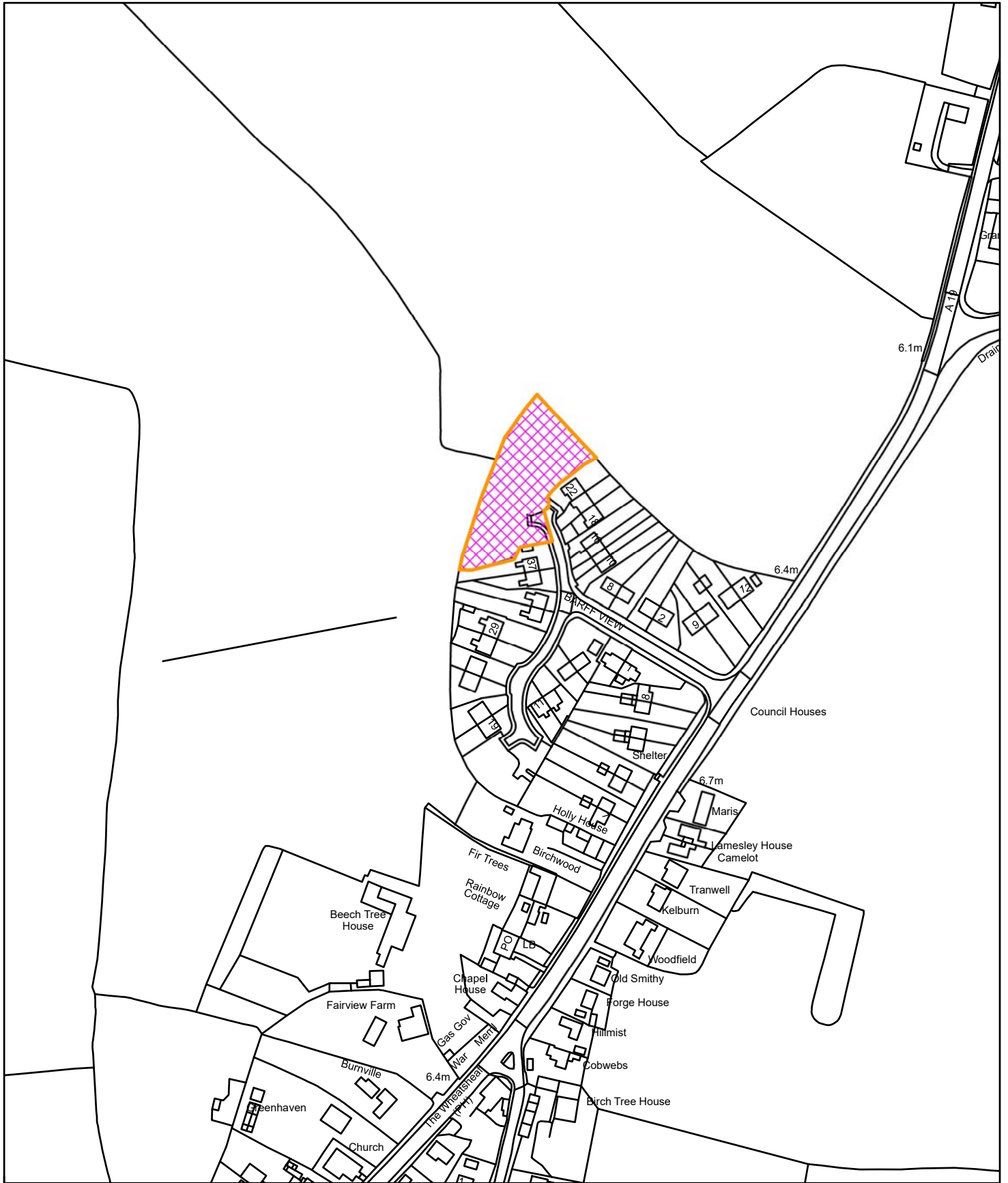
Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2020/0014/FULM	Land Off Barff View, Burn	Proposed construction of 10 affordable homes, to include a two-storey block of six two-bedroom apartments and four single-storey two-bedroom semi-detached properties	FIEL	19 - 54
5.2	2021/1463/HPA	31 Brunswick Crescent, Sherburn In Elmet Selby	Two storey side extension to provide additional living accommodation plus detached outbuilding	GAST	55 - 66

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Agenda Item 5.1

2020/0014/FULM

Land off Barff View, Burn



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AMENDED DRAWING

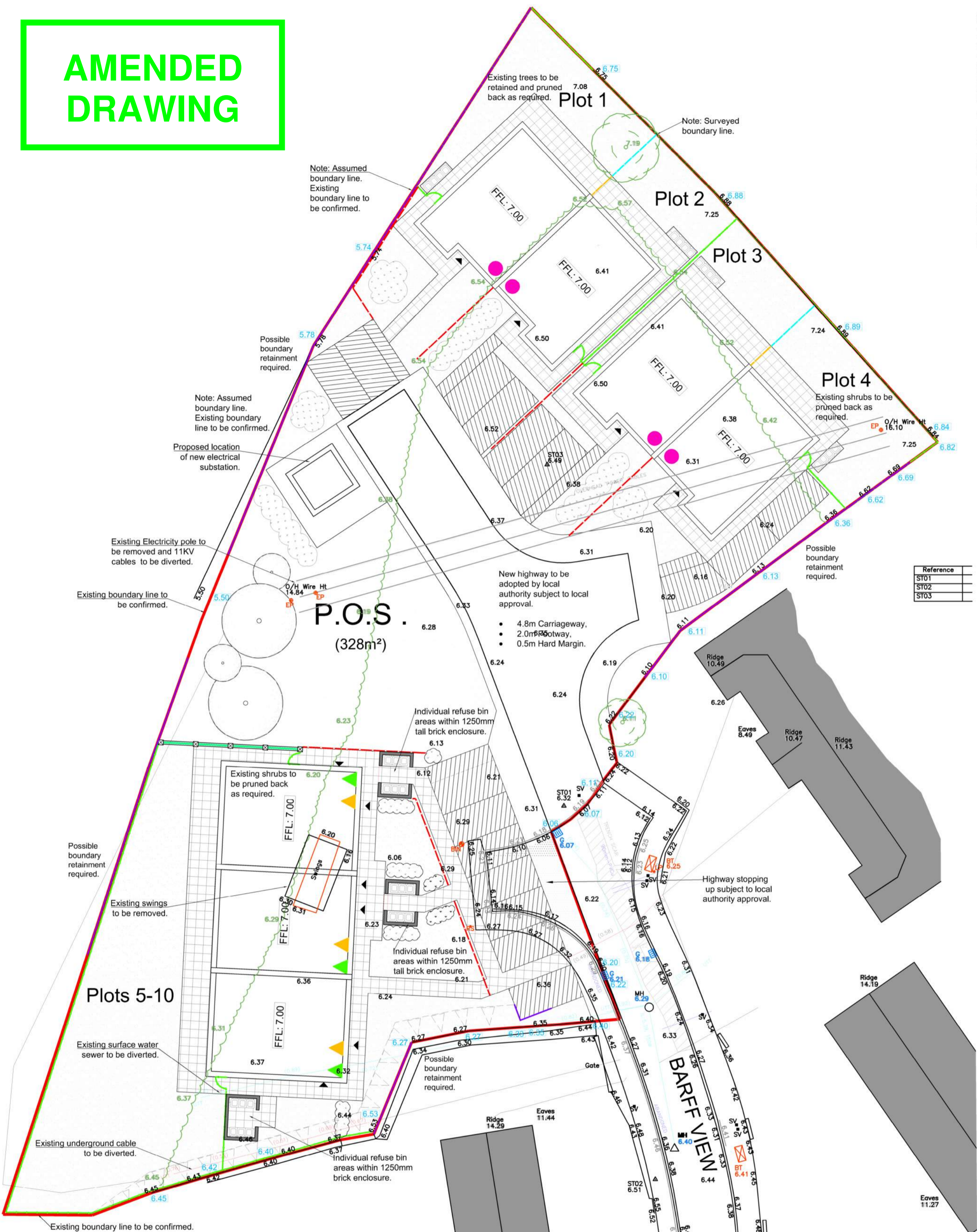
© Acanthus WSM Architects

The general contractor is responsible for the verification of all dimensions on site and the architect is to be informed of any discrepancy.

The status of information contained in a computer copy of this drawing shall be limited to that conveyed by the paper copy.

Revisions:

Rev. A	23.09.2019	NG/DRP
Electrical substation location indicated.		
Rev. B	16.10.2019	NG/DRP
Railings amended following DTM comments. Red line boundary amended. Apartments internal areas amended. 2m footways and bin collection point added.		
Rev. C	04.12.2019	NG/DRP
Schedule of accommodation updated. Entrance paths amended.		
Rev. D	21.01.2020	DRP/NG
Refuse bin storage areas indicated for plots 5-10.		
Rev. E	17.03.2020	DRP/NG
Highway adjusted to ensure 4.8m carriage way, 2m footways and 0.5m margin is achieved.		
Rev. F	01.07.2021	RB/DRP
Proposed FFLs shown.		



Schedule of Accommodation

▲	2B3P GF apartment	@ 58m²	- 03no.
▲	1B2P FF apartment	@ 65m²	- 03no.
●	2B3P Bungalow	@ 61m²	- 04no.
			Total - 10no.
Site area - 0.25ha - 0.62 acres			
Density - 40 units/ha - 16.13 units/acre			

Notes

Layout based on topographical survey by HH Surveys Ltd drawing number WSM/341/SP_2D, tree positions based on arboricultural survey by Smeeden Foreman SF 2947-2 drawing no. TC01.

Layout dependant upon confirmation of legal site boundary, confirmation of statutory services routes & subject to Highway approval.

Drainage strategy subject to further detailed design, subject to Phase I & II Geo-technical Survey and Drainage Assessment.

Boundary Treatments & Finish floor levels subject to further detailed design.

Aspect distances subject to agreement with local authority.

Where necessary existing street furniture, bollards & signage to be removed / relocated by main contractor.

Key:

- 0.9m High powder coated metal railings
- 1.5m High close boarded fence with 300mm trellis
- 1.5m High close boarded fence
- 1.8m High close boarded fence
- 1.8m High close boarded timber fence with dwarf wall and brick piers
- Possible retainment subject to further detailed design.
- Proposed location of new trees and soft landscaping
- Permeable bitumen macadam to driveways incorporating 900mm wide path, demarcated with concrete pin kerb.
- Marshalls Saxon Paving or similar paving to properties.
- Existing tree to be removed
- Existing tree to be retained.



Site Layout Barff View Burn, Selby Selby District Council

SELBY
DISTRICT COUNCIL

Drawing Status

<input type="checkbox"/>	preliminary	<input checked="" type="checkbox"/>	planning
<input type="checkbox"/>	information	<input type="checkbox"/>	tender
<input type="checkbox"/>	comment	<input type="checkbox"/>	construction
<input type="checkbox"/>	approval	<input type="checkbox"/>	record/as built

Scale 1:200 @ a2

Date September 2019

Drawn/Checked NG/DRP

Dwg No 2430.05.206F

Acanthus WSM Architects

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Report Reference Number: 2020/0014/FULM

To: Planning Committee
Date: 9 March 2022
Author: Fiona Ellwood (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0014/FULM	PARISH:	Burn Parish Council
APPLICANT:	Selby District Council	VALID DATE: EXPIRY DATE:	8th January 2020 8th April 2020
PROPOSAL:	Proposed construction of 10 affordable homes, to include a two-storey block of six two-bedroom apartments and four single storey two bedroom semi-detached properties		
LOCATION:	Land Off Barff View Burn Selby North Yorkshire		
RECOMMENDATION:	APPROVE		

The application was deferred from the Planning Committee Meeting of 8 December 2021. The officers report to that meeting is included at Appendix A to this report. At the meeting the Officer Update Note indicated that:

Para 2.7 and 5.53 of the report refers to the objection from the LLFA. Further information was received from the applicant at the time of writing this report and the LLFA were re-consulted. Comments have now been received. In summary these still require further information and for the applicant to provide the following:

- A review of the design and calculations for the highway and surface water drainage systems for the developments to reduce the discharge rate as close as possible to greenfield run off rates, whilst acknowledging the size restriction of 75mm orifice size/control.
- Determine the requirements of Highway Authority for adopting the new section of highway.
- Confirm the impact of the ground water in terms of the cellular storage area and whether mitigation should be incorporated into the design.

The Officer response was:

It is therefore recommended that the application be deferred and authority to approve the application be delegated to the Head of Planning Services subject to receipt of the above additional information and subject to that information satisfying the requirements of the LLFA and subject to any additional relevant appropriate conditions arising from this consultee.

It was RESOLVED that:

The application be DEFERRED in order for officers to undertake further work on the application by supplying additional detail on potential flooding and the suitability of car parking provision on the site.

Update since the December meeting

Flooding

Following the committee meeting further information was provided by the applicants to address the issues raised by the LLFA. The LLFA were re-consulted again on 22 December 2021.

A response has been received which in summary states there are no objections subject to the following additional condition.

Development shall not commence until the following matters are submitted for the written approval of the Local Planning Authority in consultation with the Lead Flood Authority:

- (i) Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). Confirmation that flotation issues will not affect the operation of the cellular storage should be confirmed prior to works being carried out and designs/construction amended if there is a presence of groundwater.
- (ii) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including allowances for climate change. A minimum storage volume of 41m³ for the surface water from the properties hard standing area and 65m³ from unadopted highway with a maximum discharge rate of 3.5 L/S in accordance with the Drawing 'Off-site highway drainage Option 4, Adept,27/09/19.
- (iii) A maintenance and management plan and schedule should be provided and should include features e.g., a swale, infiltration trench and leaky dam within the POS. A maintenance schedule for the surface water outfall should be included together with maintenance of the ditch that serves the outfall to ensure that the surface water is accommodated. The maintenance plan should clearly define what is to be maintained by Selby DC and what is to be maintained by private

householders and that access arrangements are in place for any assets to be maintained by Selby DC.

- (iv) Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.
- (v) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels from all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

Thereafter the approved details only shall be implemented in full and maintained for the lifetime of the development.

Reason

In the interests of providing satisfactory and sustainable drainage and flood prevention.

Officer Response

Subject to the addition of the above condition the scheme is considered acceptable in terms of flood risk and drainage.

Car Parking

The Highway Authority previously made no objections, nor did they raise any concerns in relation to the level of car parking provision. Following the December committee meeting, Highways have been re-consulted and specifically requested to comment on whether the level of parking provision is acceptable. The response was as follows:

“The bungalows have sufficient parking that complies with NYCC’s parking standards. Based on the 3 x 2 bed and 3 x 1 bed flats, they would require 9 car parking spaces to comply with NYCC’s parking standards. The 7 spaces provided are therefore below NYCC’s parking standards. However, the existing off street parking arrangements on Barff View is that some properties have no off-street parking, some with 1 space and a number with 2 plus spaces. Considering this and the fact that burn does have a bus service, I did not feel that the loss of the 2 car parking spaces could be defended at appeal. However, the Highway Authority would rather see 9 car parking spaces allocated to the flats. If there is an option to increase the car parking provision to an additional 2 spaces, this would appease the Highway Authority and probably members too”.

Officer Response

Regarding parking it should be noted there is an error in the report below at paragraph 1.2 which states that there will be a block of 6 x 2 bed roomed flats, In fact the block of flats comprises 3 x 2 bedroom flats and 3 x one bedroom flats. In all other respects the development is as previously described.

In terms of parking provision 7 spaces would be provided in front of the block of 6 flats. There would also be 8 parking spaces for the 4 x 2-bedroom bungalows, 2 of which would be in tandem. The layout provides a new highway to be adopted with a turning area.

The NYCC Vehicle Parking standards are set out in Appendix 4 of the Local Plan.

The advice in rural areas is that one-bedroom units should provide one car parking space and 2-bedroom units should provide 2 spaces. The advised provision should be 17 spaces in total for this development whereas 14 spaces in total are provided.

The applicants have been re-consulted and asked to consider whether any additional parking can be achieved within the site layout. The response was that it is not possible to provide the required open space and then add two extra parking spaces. Due to the cost of relocating the electricity cable through the site, it is not possible to reduce the number of units as this affects the viability of the scheme.

The first part of Barff View when entering from the A19 contains mainly semi-detached and terraced housing. There are no parking restrictions on street. Most houses in this first part of the Barff View have off driveways with off- street parking provision and some have garaging. Barff View then split into two ways with a section heading south characterised by bungalows. These do not have off street parking. However, there is an on street pull in/layby and the turning head at the southern end which leads to additional off road hard surfaced areas used for parking. The bungalows also have a wide area of open grass to the frontage often utilise for parking. On several visits to the site, officers noted the streets to be quiet with very little on street parking occurring during the day.

Given the characteristics of the location, the Highway Authority do not consider a shortfall of two spaces to be sufficient to warrant refusal of this scheme. Officers concur with this view. The surrounding residential development does not appear to be subject to difficulties with on-street parking. It is your officers view that the open space provision on site is necessary to offset the loss of the designated open space to comply with Policy RT1 of the Local Plan. Moreover, the benefits of the provision of these affordable housing units are considered to outweigh this minor under provision of parking spaces. As such it is concluded that the development is acceptable with respect to parking provision and the shortfall will not lead to an unacceptable reduction in road safety conditions.

Recommendation

That the application is be APPROVED subject to the conditions set out in the report below and the additional condition described above.

APPENDIX A



To: Planning Committee
Date: 8 December 2021
Author: Fiona Ellwood (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2020/0014/FULM	PARISH:	Burn Parish Council
APPLICANT:	Selby District Council	VALID DATE: EXPIRY DATE:	8th January 2020 8th April 2020
PROPOSAL:	Proposed construction of 10 affordable homes, to include a two-storey block of six two-bedroom apartments and four single storey two bedroom semi-detached properties		
LOCATION:	Land Off Barff View Burn Selby North Yorkshire		
RECOMMENDATION:	APPROVE		

This application has been brought before Planning Committee due to it being an application by Selby District Council for its own development on its own land.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The site comprises an area 0.25 ha of council owned undeveloped land located at the end of a cul-de-sac on Barff View, Burn. It is on the edge of the settlement within the development limits and there are agricultural fields bordering the site to the north, west and east. The northwest side is bounded by part of a belt of hedgerow and trees which extends off site to the northwest. There is play equipment in the form of dilapidated swings located centrally. Existing adjacent properties comprise mostly two storey, red brick semi-detached dwellings, bungalows and terraces.

The Proposal

- 1.2 The proposed is a rural housing scheme for the construction of 10 affordable homes. These would include a two-storey block of six two-bedroom apartments on the southwest side. There would be 3 on the ground and 3 on the first floor. On the north section there would be four single-storey two-bedroom semi-detached properties with frontage facing southwest and rear windows orientated north over the fields. 7 of the 10 units would comprise ground floor sleeping accommodation. The houses would be constructed of red brick with dark grey roof tiles. An area of approximately 328 sqm within the centre of the site would be retained as public open space. The development also includes an offsite area of undeveloped land at the southern end of Barff View cul-de-sac approximately 100m south of the proposals site. This area would be enhanced with improvements to ecology to provide a 360 sqm area of public open space to offset the loss of recreational open space within the site due to the development. This area is identified in green on the Public Open Space Plan provided.

Relevant Planning History

- 1.3 The following historical applications are considered to be relevant to the determination of this application.
- CO/1988/0797 (8/21/77/PA): Outline application for residential development with area retained for recreational purposes in accordance with Regulation 5(1) of the Town and Country Planning Act on land at, Barff View, Burn, Selby. Permitted on 21 November 1988.
 - Condition 4 of this permission states that “land shall be reserved within the application site to such an extent and in such a location as may be approved in writing by the local planning authority for the purpose of providing communal open-air recreation (including children’s play area). No specific area was defined as part of the application details. The permission was not implemented and expired with no reserved matters being submitted.
 - NB: The site area for the above included the whole of the current application site plus an additional area to the east (later the subject of a full permission 9/21/77A/PA- see below).
 - 9/21/77A/PA- Yorkshire Metropolitan Housing Association for 3 x 2 bed bungalows and 4 x 2 bed terraced houses. Permitted 2/9/1993. This permission relates to the development at the north-eastern end of Barff View adjoining the application site and has been implemented.

2. CONSULTATION AND PUBLICITY

Consultation

2.1 NYCC Highways

The principal of a development in this location is acceptable to the highway authority. No objection to the proposed stopping up order but procedures and consultations need to be followed before a final decision is made on the stopping up

order. Initially raised some issues in relation to carriage way width, turning for fire attendants and refuse vehicles, bin collection and cycle provision.

Following further information and discussions, still had some concerns regarding the existing turning head and the fact it will remain to the northeast. The north-western part of the turning head will be removed and stopped up by Selby DC to facilitate additional car parking for the proposed dwellings. The Highway Authority would have no objections to the stopping up of this land. However, whilst the north-eastern part of the existing turning head would be better removed to show continuity of the carriageway and footway, it is noted that an existing property gains access from this point and therefore no objections are raised. Other previous concerns have been addressed. Therefore, no local Highway Authority objections. Conditions are recommended.

2.2 Waste and Recycling Officer

No comments received

2.3 Environment Agency

Initial Objections

- (i) Most of the site lies within Flood Zone 3, with a high probability of flooding. The application is for the construction of 10 residential dwellings, which are classified as 'more vulnerable' land use in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance: Flood Risk and Coastal Change. It is therefore necessary for the application to be supported by a site-specific flood risk assessment (FRA), which can demonstrate that the 'development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.
- (ii) The submitted FRA, fails to comply with the requirements for site-specific flood risk assessments because it doesn't consider how a range of flooding events, including climate change scenarios, will affect people and property and does not therefore adequately assess the development's flood risks.
- (iii) In particular, the FRA fails to:
 - assess the predicted depths of flooding on site for a range of flood events including the 1% annual probability fluvial and 0.5% annual probability tidal design flood events
 - provide any assessment of breach and overtopping scenarios
 - take into consideration the impacts of climate change
 - exclude ground floor sleeping accommodation.
 - demonstrate that proposed mitigation measures are sufficient to ensure the development remains dry and safe for the lifetime of the development.
- (iv) Once the site-specific flood levels have been determined using the Selby Level 1 SFRA, the applicant should raise finished floor levels to exclude the predicted flood water depths. Where it can be demonstrated that finished floor levels cannot be sufficiently raised, other passive resistance measures may be considered to exclude water up to the predicted flood depth. The FRA has not assessed or provided robust justification why finished floor levels are proposed to be raised 300mm and if the proposals are adequate to ensure the safety of

occupants. Where water exclusion is required above 600mm, we draw the applicant's attention to the document titled "Improving the Flood Performance of New Buildings – Flood Resilient Construction". Further information can be found here. The applicant should ensure the building is structurally sound to withstand the depths and hazard of flooding predicted.

- (v) With respect to residential accommodation and in accordance with Tables 1, 2, and 3 of the PPG, ground floor sleeping accommodation should not be permitted, or allocated, in Flood Zone 3. Sleeping accommodation should be restricted to the first floor or above to offer the required 'safe places'. If the applicant intends to retain ground floor sleeping accommodation, they must demonstrate that the ground floor of all residential properties remain dry during the design flood events with an allowance for climate change and as assessment of breach and overtopping scenarios in line with the Selby Level 1 SFRA.

2.4 Objections maintained on further subsequent revised submitted information due to;

- With finished floor levels raised only 300mm above ground this could result in between 300 and 500mm of internal flooding affecting the development over it's lifetime.
- For a habitable use to be applied the safe maximum internal flood depth to allow safe internal access and egress is 300mm.
- Where ground floor sleeping is proposed it must be demonstrated to be dry for it's lifetime.
- In order to make the development safe and allow a habitable use on the ground floor for the lifetime of the development, finished floor levels could be raised further, or flood proof construction techniques could be used to ensure that the ground floor flats remain safe/dry.

2.5 Following further information on levels and a revised FRA the EA withdraw their objections subject to a condition to:

- (i) secure finished floor levels no lower than 7 metres above Ordnance Datum
- (ii) Mitigation measures incorporated

Para (i) of initial comments reiterated and reminder to LPA of the need to decide it the Sequential test and Exception Test has been satisfied.

2.6 Yorkshire Water Services

Recommends conditions in relation to drainage for foul and surface water, discharge of surface water, diversion of public sewerage infrastructure. Queries and concerns were raised regarding surface water to the public combined sewer. Following receipt of further information Yorkshire Water confirmed no objection to the proposed discharge rate of 3.5 (three point five) litres per second to the public surface water sewer crossing the site. Comments and recommended conditions from previous responses still apply.

2.7 NYCC Lead Local Flood Authority

- Agree the approach to discharge to Yorkshire water surface water sewer
- Clarification of highway drainage needed.

- Flood Zone 3 therefore LPA should satisfy itself of sequential test and exception test.
- The EA should be consulted about the finished levels.

Recommends refusal because the submitted documents are limited and further information is needed on:

- a maintenance plan detailing the frequency of maintenance of the features for their lifetime has not been provided.
- Confirmation of the drainage arrangements for the highway surface water has not been provided.

(Information requested and an update will be given at committee)

2.8 Selby Area Internal Drainage Board

Comments made in relation to surface water options and conditions recommended and informatives should consent be required form the IDB

2.9 Yorkshire Wildlife Trust

No comments received

2.10 NYCC Ecologist

Most of the site is amenity grassland of low nature conservation value, but it also contains a belt of scrub along the western boundary and a narrow strip of tall-herb vegetation along the northern boundary. The scrub habitat is likely to be more significant for mammals, invertebrates and birds than is suggested in the PEA, which provides scant information on the fauna using this habitat.

Initial concerns raised

- The PEA includes non-committal advice rather than expressions of intent of what the applicant will deliver. This is too open ended to secure by condition. Some of the measures don't appear on the plan.
- Biodiversity deficit will need to be made up by creating suitable habitat on other land in the applicant's ownership. Strongly encourage the creation of a similar habitat of thicket/woodland to replace what would be lost. Recommend the applicant uses DEFRA's Biodiversity Metric system to provide a clear and objective assessment of habitat loss and how this will be offset by compensation measures.
- Trees are earmarked for removal and at least one of these has the potential for bat roosts. Surveys for protected species cannot be conditioned and must be completed within the bat activity season.

Following receipt of further bat surveys and a revised PEA concludes that:

- Confirm the tree can be felled without constraint
- Biodiversity – not resolved. Using the DEFRA Metric there would be a 24% loss. Recommend that other areas of land within the applicant's ownership should be used to provide biodiversity enhancement to offset the loss. Reiterate that the

proposals do not comply with national planning policy. Further proposals needed to deliver this biodiversity gain.

- Recommend adherence to the guidance and mitigation measures contained in the revised ecological appraisal regarding species and implementing landscape proposals.

2.11 Designing Out Crime Officer

The overall design and layout of the proposed scheme is considered acceptable.

2.12 North Yorkshire Fire & Rescue Service

No objection to the proposed development. Will make further comment at the time when a statutory Building Regulations consultation to the Fire Authority.

2.13 Public Rights of Way Officer

No comments received.

2.14 Education Directorate North Yorkshire County Council

No comments received.

2.15 NYCC Heritage Officer

Archaeological Background: The proposal is within the historic settlement of Burn. However the small scale of the development is unlikely to have a significant impact on archaeological remains.

2.16 Burn Gliding Club Ltd.

No comments received

2.17 Contaminated Land Consultant

The reports and the site investigation works are acceptable. Conditions recommended:

2.18 Environmental Health

No adverse effects on surrounding property and local amenities once operational. Potential adverse effects on residents of the existing residential properties near to the proposed development site during construction phases which are likely to create dust, noise and vibration which may cause disturbance.

Recommend a Construction and Environmental Management Plan (CEMP) condition.

2.19 Burn Parish Council

- The proposal differs significantly from the original proposal on which the parish council was consulted.
- The proposal constitutes excessive development
- The access for emergency appliances is poor.

- There is a lack of turning provision to allow vehicles to drive onto the highway
- The proposed development is in a level 3 flood risk area.
- The proposal will have an adverse effect on the amenity of adjacent properties
- Burn village has no amenities other than the pub and the Methodist Chapel.

Publicity

2.20 The application was advertised by standard site notice and by press notice and site notice (as a departure) resulting in 2 letters of representation. This raises the following concerns;

- Appear to try to fit in as many properties as they can down the street.
- The drainage is poor and floods regularly, sewage work down the street will also required upgrading as it is struggling to cope at the moment.
- Powercuts are also frequent in the village
- Only 1 access onto a busy main road which is poorly lit. The road and pathways are in a poor state of repair, the road has not been resurfaced, this is despite the rest of the village roads being repaired and fully resurfaced on at least 2 occasions within the last 4 years.
- The building work is to take place over a children's park, there is nowhere for them to play safely in the village and no provisions for them to use.
- Limited amenities in the village, no shops, bus service unreliable and non existent after 7pm daily and not on a Sunday. Question whether there are provisions in place for this to change or improve
- There is a lack of parking available at the moment for the number of cars down the street, leaving residents and any visitors having to park on the streets, further development would see this increase. The provisions for 15 spaces would not be enough to cover future residents and visitors to the street.
- In an emergency the Emergency services would struggle to get down on occasions
- Why build on the only green space in the village when there is a disused airfield in the village.
- Question how many houses are planned for Brayton Green
- Power transformer for the estate is in the middle of the site –future problems for maintenance by power companies
- Access road not wide enough.

3 SITE CONSTRAINTS

Constraints

- 3.1 The site is within a low development risk (coal) area and the Burn Airfield Consultation Zone. It is within the settlement of Burn on the northwest side and is within the development limits as defined in the Local Plan. In the Selby District Core Strategy Burn is a secondary village. The land is currently an undeveloped area of open space land part of which contains play equipment.
- 3.2 A small part of the site encompassing the northern most corner is designated Recreational Open Space within the adopted Selby District Local Plan (LP) and is protected under LP Policy RT1.

- 3.3 The majority of the site is within Flood zone 3 and within an area benefiting from flood defences.
- 3.4 An electricity step down transformer is located on the west boundary of the site with overhead cables running over the site in approximately west to east direction.

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 (July 2021) (NPPF) replaced the February 2019 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 2021 NPPF.
- 4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

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

Selby District Core Strategy Local Plan (CS)

- 4.6 The relevant Core Strategy Policies are:

SP1-Presumption in favour of Sustainable Development
SP2- Spatial Development Strategy
SP4- Management of Residential Development in Settlements
SP5: The Scale and Distribution of Housing

SP8: Housing Mix
SP9: Affordable Housing
SP10: Rural Exception Sites
SP12: Access to services, community facilities and infrastructure
SP15: Sustainable Development and Climate Change
SP18: Protecting and Enhancing the Environment
SP19: Design Quality

Selby District Local Plan (LP)

4.7 The relevant Selby District Local Plan Policies are:

RT1: Recreation Open Space
ENV1: Control of Development
ENV2: Environmental Pollution and Contaminated Land
T1: Development in Relation to Highway
T2: Development including creation of a new access

Other Policies / Guidance

The following are considered to be relevant:

- Affordable Housing SPD (2014)
- Flood Risk Sequential Test Guidance Note (March 2019)

5 APPRAISAL

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

- 1) The principle of the development
- 2) The impacts of the proposal on;
 - Character and appearance and impact on the locality
 - Highway Safety
 - Residential Amenity
 - Flood Risk, Drainage and Climate Change
 - Nature Conservation and Protected Species
 - Affordable Housing
 - Contamination
 - Waste and recycling
 - CIL

The Principle of the Development

- 5.2 Policy SP1 of the Selby District Core Strategy Local Plan (2013) 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 is situated within the Development limits of Burn where SP2 and SP4 of the Core Strategy applies. Policy SP2A sets out the Spatial Development Strategy for the District and directs the majority of new development hierarchically first to the towns and service Centre's, then to Designated Service Villages. Burn is a Secondary Village where SP2 b) sets out that only limited

amounts of residential development may be absorbed inside Development Limits where it will enhance or maintain the vitality of rural communities, and which conforms to the provisions of Policy SP4 and SP10 of the CS. The development of this site for 10 affordable units is a small-scale development which could enhance the vitality of the rural community due to the provision of much needed small social housing units for locals. It is therefore consistent with the aims of Policy SP2.

- 5.4 Policy SP4 of the CS relates to the management of residential development in settlements and sets out at SP4 a) bullet point 2 that in secondary villages the following types of development will be acceptable in principle within development limits – “*conversions, replacement dwellings, redevelopment of previously developed land, filling of small linear gaps in otherwise built-up residential frontages, and conversions/redevelopment of farmsteads*. In all cases proposals will be expected to protect local character, to preserve and enhance the character of the local area, and to comply with normal planning considerations, with full regard to taken of the principles contained in Design codes where available.
- 5.5 The whole site is within the development limits. However, it is not the filling in of a small linear gap or a conversion. In terms of previously developed land in built up areas, recreation grounds and parks are specifically excluded from the definition of previously developed land. Although the majority of the site is not formal recreation open space or parkland, it is also not land which has been previously developed. In this respect the proposed development does not fall within any of the exceptions identified in SP4 as being acceptable in secondary villages. It does not therefore comply with SP4 of the CS.
- 5.6 However, Policy SP10 ‘Rural Exception Sites’ sets out that within villages, including secondary villages, planning permission can be granted for small scale ‘rural affordable housing schemes’ as an exception to normal planning policy provided criteria are met. These are;
- (i) The site is within or adjoining Development Limits in the case of secondary villages
 - (ii) A local need survey has been identified by a local housing needs survey, the nature of which is met by the proposed development.
 - (iii) The development is sympathetic to the form and character and landscape setting of the village and in accordance with normal development management criteria
- 5.7 In this case the development complies with Policy SP10 criteria (i) since it is within the development limits.
- 5.8 In terms of criteria (ii) a formal rural housing needs survey by the rural housing enabler has not been undertaken. However, the mix of housing has been based on the HomeChoice register and providing a housing mix which is required in Selby SC stock. The scheme mix is to meet an identified specific affordable housing need for in the Selby District. In terms of 2-bed adapted accommodation, there are 35 active applicants who have self-identified as requiring adapted properties across the district, 1 of those has registered a specific interest in Brayton/Barlow. The scheme will provide 4no. x CAT 2, 2 bed bungalows and 3no. x 2 bed wheelchair accessible apartments.
- 5.9 These properties will contribute to the Council’s stock ensuring that residents have access to fit for purpose housing. The 3no. First Floor 1-bedroom apartments will

fulfil a chronic housing need due to the lack of access to good quality 1 bedroom accommodation and also the family compositions which do not qualify potential residents for a 2-bed need. Due to the location of the site and existing makeup of the surrounding properties, it is not the ideal location to accommodate a family housing scheme. This is due to the type of amenity available locally, a consideration of the pressure on local infrastructure and the proximity of family housing schemes which have been built in the surrounding locality of Brayton, Hambleton and Selby which under s106 agreement have built this type of housing. Due to the cost and specific nature of the housing mix proposed, if the property types are not built by registered providers, then this housing need will not be met.

- 5.10 As such, this development will meet a specific housing need which cannot be met elsewhere which is met by this development. The proposal is therefore consistent with the aims of SP10 criteria (ii).
- 5.11 In terms of SP10 criteria (iii), this is discussed in more detail in the relevant sections of this report. The development is generally sympathetic to the form and character of the surrounding development.
- 5.12 In relation to the northern tip of the site this would result in the loss of an area of designated recreation open space which must be considered in the context of Policy RT1 of the Local Plan.
- 5.13 Saved policy RT1 of the LP states that: Proposals which would result in the loss of existing recreation open space and allotments will not be permitted unless:
- 1) The use has been abandoned and the site is not required to remedy an existing deficiency for recreation or allotment use elsewhere in the locality; or
 - 2) 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
 - 3) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site.
- 5.14 The extent of the whole site is regarded as open amenity area but is not formally designated as such. The designated portion of ROS lies beyond a group of trees and high hedges and is barely accessible so is clearly underused. There is a small set of swings in the amenity area but there is no equipment within the area of the ROS itself. The play equipment which exists consists of a single set of old swings provided is on a different part of the site and appears in a dilapidated condition.
- 5.15 The proposed layout plan would include the provision of an area of open space within the centre of the site roughly equivalent to the designated northern section. It is considered that once laid out and landscaped and positioned in the centre of the new housing, it would provide a useful and accessible designated open space area which improves the existing overgrown area.
- 5.16 In addition to this a further area of land at the southern end of Barff View cul de sac comprising 360 sqm is intended to be used as public open space with improvements to the ecology to offset the loss of recreational open space due to the development. This area is identified in green on the Public Open Space Plan provided with the application.
- 5.17 It is therefore considered that the loss of the designated area of designated northern recreation open space is adequately compensated for within the development itself

and off site. Normally a legal agreement would be required to secure this provision but since it would be inappropriate for the Council to enter into a legal agreement with itself, a condition can be imposed requiring the open space areas to be secured for the long term. Subject to such a condition the development is therefore consistent with the approach advocated in RT1.

- 5.18 Overall although the development would not comply with SP4 it would comply with SP1, SP2, SP10 of the CS and with RT1 of the LP and can be supported in principle.

Character and appearance and impact on the locality

- 5.19 Policy ENV1 (1) and (4) of the Selby District Local Plan set out that proposals should consider the effect upon the character of the area as well as the standard of layout, design and materials in relation to the surrounding. Furthermore, Policy SP19 of the Core Strategy sets out key requirements developments should meet to ensure high quality design is achieved having regard to local character, identity and context of its surroundings.
- 5.20 ENV1 seeks to ensure a good quality of development taking account of, amongst other things, the effect on the character of the area and the standard of the layout, design and materials in relation to the site and the its surroundings and associate landscaping. Relevant policies within the NPPF, which relate to design, include paragraphs 126 to 136. Para 130 of the NPPF states that planning decisions should, amongst other things be visually attractive because of good architecture, layout and appropriate and effective landscaping.
- 5.21 The proposed development would result in the loss of an informal undeveloped part of the area and replacement with a housing development. However, most of the site is undesignated open space and there is no requirement to retain it as such. A designated area of public open space would be laid out and landscaped within the centre of the site and would be accessible to residents. This would be an enhancing design feature which contributes positively to the overall streetscape and the design of the scheme.
- 5.22 In terms of the existing landscaping, a tree survey has been submitted categorising the quality of the trees. Only two trees of moderate quality have been identified as worth retaining and these are identified on a tree protection plan with hand excavation required around one tree. The remaining trees and hedgerow would be removed. The loss of these is discussed in ecological terms in the section on nature conservation in this report. However, these not considered to contribute significantly to the visual quality of the area and the remaining woodland adjoining the northwest of the site outside the application site boundary would screen the development from the north.
- 5.23 In terms of design the dwelling units are simply designed bungalows and two-storey units. The design, character and form reflect similar bungalows and terraces on Barff View. Materials are indicated to be red brick and dark grey roof tiles and the specific details of these materials can be secured by conditions to ensure they are sympathetic to the surrounding development. The design takes into account the constraints and appearance of the surrounding area and complements the local vernacular. The layout blends well with the existing layout of dwellings on Barff view and reads as a natural extension to it.

- 5.24 In addition to materials the details of the boundary treatments and landscaping planting should also be conditioned to ensure the setting and enhancement of the site and to soften the appearance of the new development within this open context. The plans provided show only indicative areas of planting and fully detailed landscape plan is needed to ensure the species and planting details are sufficient to enhances the development and appropriate for the locality. Boundary details are shown on the revised layout plan, and these are generally considered acceptable and appropriate for this location.
- 5.25 Overall, the scheme is considered to take account of the character of area, in terms of its height, scale, form and type. The proposals are consistent with the aims of Policies ENV1 of the Selby District Local Plan and SP19 of the Core Strategy.

Highway Safety

- 5.26 Policies ENV1 (2), of the Local Plan require development to ensure that there is no detrimental impact on the existing highway network or parking arrangements. Policy T1 of the Local Plan relate to consideration of the highways impacts of development. Policy T1 notes that development should be well related to existing highways networks and will only be permitted where existing roads have adequate capacity otherwise off-site highways works may be required. It is considered that these policies of the Selby District Local Plan should be given significant weight as they are broadly in accordance with the emphasis within the NPPF.
- 5.27 The layout plan provides for an access and turning area extending off the existing turning head at the end of Barff View. Part of the existing turning head is proposed to be stopped up and replaced with a turning head extending into the site. Seven parking spaces would be provided in front of the two-storey block to serve the six flats. The bungalows on plots 1 -4 would each have 2 parking spaces. The spaces for plot 4 would be tandem parking arrangement.
- 5.28 Initially the Highway Authority had concerns with the retention of part of the existing turning head preferring removal and replacement with the new turning head. However, they note that an existing property gains access from this point and therefore agree it can be retained. Several conditions are recommended requiring engineering plans of roads and footpaths, the construction of adoptable roads and footpaths and conditions relating to the visibility, timing, parking, cycle parking, surface water drainage and construction management plans.
- 5.29 Subject to the recommended conditions the scheme is considered acceptable in terms of road safety standards and subject to compliance with the recommended conditions, the development is considered acceptable in terms of road safety and would not conflict with Policies ENV1 (2) and T1 of the LP.

Residential Amenity

- 5.30 Policy ENV1 (1) of the Selby District Local Plan sets out the approach in respect of the impact of the proposal on residential amenity. Significant weight should be afforded to Policy ENV1 as it is broadly consistent with the aims of the NPPF to ensure that a good standard of amenity is achieved for all existing and future occupants. Policy ENV1 seeks to ensure that a good standard of amenity is achieved for all existing and future occupants of land and buildings.

- 5.31 The key considerations in respect of residential amenity are considered to be the potential of the proposal to result in overlooking of neighboring properties, overshadowing/overbearing of neighboring properties and whether oppression would occur from the size, scale and massing of the development proposed.
- 5.32 It is noted that no objections have been received in relation to impacts on residential amenity particularly in terms of the relationship to the adjacent properties. Plots 1-4 are single storey dwellings which would be positioned north of the existing bungalows on Barf View. Given their size form and position they would not result in an overbearing or overshadowing impact on other nearby dwellings. No windows are proposed on the side elevations and therefore no new overlooking would occur. Overall, although modest in size, they would provide a satisfactory level of amenity for future occupants with a small area of private amenity space for each occupant.
- 5.33 Plots 5-10 comprise a terrace with 3 ground floor and three first floor flats. Given their size form and position they would not result in an overbearing or overshadowing impact on other nearby dwellings. The principal room windows would be on the front and rear elevations facing east towards Barff View and west to the open fields. The nearest elevation to existing dwellings would be the south elevation which contains a ground floor door to the upstairs flat and a first-floor landing window. It is considered that the arrangement does not unacceptably reduce the privacy and amenity of the adjacent existing dwellings. Overall, although these are small flats there would be open space garden area to the rear of the dwellings and space and light around the building. They would provide a satisfactory level of amenity for future occupants.
- 5.34 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. The 'Designing Out Crime Officer' considers the overall design and layout of the proposed scheme is considered acceptable.
- 5.35 Overall, it is considered that the proposed development would not result in a significant detrimental impact on the residential amenities of the area or surrounding properties and that an acceptable standard of residential amenity would be achieved within the development for future occupants in accordance with Policy ENV1(1) of the Local Plan and the NPPF.

Flood Risk and Drainage

- 5.36 Relevant policies in respect to flood risk and climate change include Policy ENV1 (3) of the Selby District Local Plan and Policies SP15 and SP19 of the Core Strategy and the advice in the NPPF.
- 5.37 The site lies within Flood Zone 3, benefitting from flood defences. Flood zone 3 relates to land having a 1 in 100 or greater annual probability of river flooding or 1 in 200 or greater annual probability of sea flooding. The flood zones do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding.

- 5.38 SP15 makes clear that development in areas of flood risk should be avoided wherever possible through the application of the sequential test and exception test and ensure that, where development must be located in areas of flood risk, it can be made safe without increasing flood risk elsewhere. Detailed guidance on dealing with applications in flood risk areas is set out in the NPPG.
- 5.39 In addition, paragraph 159 of the NPPF supports directing development away from areas of a higher probability of flooding. It advises that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 5.40 Paragraph 161 of the NPPF makes clear that that development should not be permitted if there are reasonably available sites appropriate of the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 5.41 Paragraph 162 sets out that if it is not possible for the development to be located in areas with lower risk of flooding the exception test may have to be applied. The need for the exception test will depend on the flood vulnerability of the site and the development proposed in line with the Flood Risk Vulnerability Classification set out in Annex 3.
- 5.42 The NPPF advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Sequential Test

- 5.43 Selby District Council have published a Sequential Test Guidance Note dated March 2019. This requires an assessment of reasonably available alternative sites within and immediately adjacent to the development limits of secondary villages district wide. However, for rural housing exception sites the area of the application sequential test is limited to within or adjacent to the development limits of the particular secondary village. This proposal is entirely for affordable housing units on land which would not normally be granted permission for housing within a secondary village being contrary to SP4 of the CS. The scheme is only acceptable because it is for affordable units and is consistent with SP10 'Rural Exception Sites' and will, if granted, be subject to a condition to secure the long-term future of the affordable housing in perpetuity. As such, as set out in the Councils Sequential Test Guidance Note, the search area for is limited to Burn village only. There are no

other sites within or adjacent to the village of Burn which could accommodate 10 affordable units. The scheme therefore passes the sequential test.

Exception Test

- 5.44 The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 5.45 Both elements of the exception test should be satisfied for development to be allocated or permitted.

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk

- 5.46 Wider sustainable benefit is achieved through the provision of 10 dwellings which much needed local affordable social housing which will also add vitality to the local community. There will be economic benefits during the construction phase of the development.

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 5.47 In terms of the vulnerability of the development the classifications include: Highly Vulnerable; More vulnerable; Less Vulnerable; or Water Compatible. Buildings used for dwelling houses are classified as 'More Vulnerable' which is the second most vulnerable form of development. The development provides 10 units of living accommodation, 7 of which have ground floor sleeping accommodation.

- 5.48 A site specific flood risk assessment (FRA) has been submitted and the Environment Agency (EA) have been consulted. This also need to take account of the possible impacts of climate change. The EA have initially strongly objected to this proposal on the grounds of lack of predictive information on the site-specific flood levels, no assessment of breach and overtopping, not taking into account possible impacts of climate change, and not providing mitigation measures to ensure the development is safe. Moreover, they make clear that in accordance with the NPPG, ground floor sleeping accommodation should not be provided in Flood Zone 3.

- 5.49 The EA state that if the applicant intends to retain ground floor sleeping accommodation, they must demonstrate that the ground floor of all residential properties remain dry during the design flood events with an allowance for climate change and as assessment of breach and overtopping scenarios in line with the Selby Level 1 SFRA. The provision of accurate site-specific flood levels was necessary to determine the extent to which floor levels need to be raised.

- 5.50 Following receipt of a revised FRA, it was then established that allowing for climate change the site could flood to depths of between 200 to 800mm. The scheme only proposed raising floor levels between 300-500 above ground level. With ground floor sleeping accommodation it is necessary to demonstrate the development to be dry for its lifetime. This was not achieved, and the EA maintain their objection due to ground floor sleeping accommodation being unacceptable and reliance on early warning and evacuation.
- 5.51 In order to make the development safe and allow a habitable ground floor use, finished floor levels need to raise or the development must have flood proof construction techniques to ensure the ground floor flats stay dry.
- 5.52 Discussions took place directly with the EA about the site levels and the required floor levels as there was some ambiguity on these. Following this a revised FRA has now been received which raises the finished floor levels to the required levels and includes appropriate mitigation measures to ensure the development stays dry and is safe for its lifetime. Subject to appropriate conditions to secure finished floor levels no lower than 7 metres above Ordnance Datum and to incorporate the Mitigation measures set out in the FRA, the EA confirm they withdraw their objection. However, the LPA must satisfy itself regarding the Sequential Test and the Exception Test. This has been discussed and concluded in the section of the report.
- 5.53 A further matter raised by the EA is a requirement for surface water details to be agreed with both the LLFA and the IDB. The IDB require conditions which are set out in section 7 of this report. The LLFA require further information and clarification regarding the drainage arrangements for the highway surface water. They also refer to the drainage system being maintained by Selby DC but are concerned no maintenance plan has been provided. *This information has been requested and an update will be given at the meeting.*
- 5.54 In terms of drainage Yorkshire water recommend conditions in relation to the discharge of foul and surface water and the diversion of public sewerage infrastructure. They require further survey work to determine the potential use of the drainage ditch for discharge of surface water at a specified rate. This can also be covered by condition. It is recommended that the advised conditions be imposed.
- 5.55 The Sequential test is satisfied for the reasons given above. Overall, subject to the additional information meeting the requirements of the LLFA and appropriate conditions relating to drainage, finished floor levels and mitigation measures, the development is considered acceptable with respect to its impacts on flood risk, climate changes and drainage. The development can be safe for its lifetime taking into account the vulnerability of its users without increasing flood risk elsewhere and there are wider sustainability benefits in the provision of these affordable housing units. As such the Exception Test is satisfied and the development complies with Policies SP15, SP19 of the Core Strategy, Policy ENV1 of the Local Plan and with the advice in the NPPF.

Nature Conservation and Protected Species

- 5.56 Policy in respect to impacts on nature conservation interests and protected species is provided by Policy ENV1(5) of the Local Plan, Policy SP15 and SP18 of the Core Strategy and advise within the NPPF.

- 5.57 Protected Species are protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010. The presence of a protected species is a material planning consideration. The presence of protected species is a material planning consideration.
- 5.58 Policy SP15 of the CS seeks to achieve sustainable development and sets a number of criteria to ensure development contribute towards reducing carbon emissions and is resilient to the effects of climate change which should be taken into consideration. SP15B criteria d) seeks to protect, enhance and create habitats to both improve biodiversity resilience and utilise biodiversity to contribute to climate change mitigation. SP18 seeks to protect and enhance the environment. Criterion SP18 c) requires development to seek a net gain in biodiversity by designing in wildlife and retaining natural interest of a site where appropriate.
- 5.59 The NPPF is a material consideration in making planning decisions. Paragraph 174 of the NPPF sets out that decisions should contribute to and enhance the natural; and local environment including sites of biodiversity. 174d) advises minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. In addition, paragraph 180 of the NPPF sets out the principles which should be followed when considering applications which may impact upon habitats and biodiversity. It advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 5.60 A Preliminary Ecological Appraisal (PEA) has been submitted. This was amended following comments from the County Ecologist together with the provision of a bat survey due to trees being identified with potential for roosting bats. The updated appraisal confirms the identified trees can be removed without constraint. No other protected species have been identified.
- 5.61 The site contains trees and unmanaged scrub on the west boundary which County Ecologist and the revised PEA consider has some conservation value as suitable habitat for breeding and roosting birds and small mammals. The majority is proposed for removal with a strip of scrub and 2 trees indicated to be retained where feasible. The PEA advises planting of native trees and shrubs within the areas of public open space, seeding with wildflower grassland, the protection of trees during development and a sympathetic lighting scheme during construction and withing the proposals which minimises illumination of trees and areas of planting. Lighting details are not provided at this stage but could be required by condition. The Ecologist initially raised concerns about the scheme not reflecting the advice within the PEA. The PEA was updated and provided the development is carried out in accordance with the mitigation measures advised and advise with respect to lighting it is now considered acceptable. Officers have suggested conditions be imposed for landscaping details, lighting details, tree protection measures and for the development to be carried out in accordance with the recommendations, advise and mitigations measures set out in the PEA.
- 5.62 In terms of the impacts on protected species the scheme is acceptable. In terms of the ecological impacts, conditions can ensure the harmful impacts on adjacent woodland and surrounding countryside is minimised.

- 5.63 In terms of Biodiversity, Net Gain calculation was undertaken to provide an indication of the potential of the scheme to provide no net loss in biodiversity value using the DEFRA Biodiversity Metric. The value of the site post development due to the loss of trees and shrubs and their conservation/wildlife value equates to a biodiversity loss of 45% (assuming suitable landscaping proposals are incorporated post development). When the off- site area to the south is incorporated the calculations including suitable landscaping is reduced to 24%. The calculation is habitat based and does not take into account specific species features such as integral bat and bird boxes.
- 5.64 The PEA advised that options which can be considered to make up the deficit, if required, include compensation provided on additional areas of land within the client's ownership or payment into a relevant biodiversity off-setting scheme. However, the applicants have indicated it is not possible to provide other areas of land within the applicant's ownership to offset the loss.
- 5.65 The scheme is compliant with Policy ENV1(5) of the Local Plan and Policies SP15 and SP18 of the Core Strategy and advise within the NPPF in respect to impacts on nature conservation interests and protected species. However, it conflicts with the advice in Policy SP15 and SP18 and with the NPPF with respect to the net loss in Biodiversity.
- 5.66 Notwithstanding the above, the scheme provides other benefits which must be weighed in the balance. Moreover, some compensation is to be provided within an area of open space which lies approximately 100m to the south of the proposals site which has wider public benefits. Conditions can be imposed relating to the application site itself and to the site and to the additional area of open space to secure mitigation and enhancement as advised in the PEA.

Affordable Housing

- 5.67 Core Strategy Policy SP9 and the accompanying Affordable Housing SPD sets out the affordable housing policy context for the district.
- 5.68 This scheme is for 100% affordable housing units. Normally a Section 106 agreement would be required to ensure the dwellings are retained as affordable housing, but it would be inappropriate for the Local Authority to enter into a legal agreement with itself. Therefore, subject to condition to ensure that the units implemented and retained as 'Affordable' and remain in perpetuity as such, the proposal is considered acceptable in respect of affordable housing policy.

Land Contamination

- 5.69 Policies ENV2 of the Local Plan and SP19 of the Core Strategy relate to contamination. The application is supported by a contamination assessment that has been reviewed by then Council's contaminated land consultant.
- 5.70 The Council's Contaminated Land Consultant has confirmed that the report and proposed site investigation works are acceptable. The report shows the land has not previously been developed. The phase 2 investigation showed results within the limits of assessment criteria and therefore no further remediation works, or gas protection measures are required. A condition is only required in the event that unexpected contamination is found during the development.

- 5.71 Therefore, on the basis of the details set out in the report and the comments from the Contaminated Land Consultant it is considered that, subject to a suitably worded condition the development is acceptable with respect to contamination impacts.
- 5.67 The proposals are therefore acceptable with respect to contamination in accordance with Policy ENV2 of the Local Plan and Policy SP19 of the Core Strategy.

Waste and Recycling

- 5.68 In terms of the provision for waste and recycling a standard contribution will be sought requiring appropriate minimum provision of waste storage bins and recycling boxes, to be provided prior to the occupation of any dwelling.

6 CONCLUSION

- 6.1 It is noted that the scheme is intended to meet the demonstrable, objectively assessed housing needs of members of the local community. The proposed development would provide much needed small flats and single storey affordable housing within the community. The development is acceptable with respect to the impacts on the character and appearance of the area and would not be harmful to road safety, contamination, flood risk, drainage and nature conservation or protected species. On balance the benefits of the scheme outweigh the biodiversity loss due to the benefits of the housing provision and the useable areas of public open space. Subject to a condition to secure the houses are implemented and retained in perpetuity as affordable housing and subject to all the other conditions referred to in the report and listed below the proposed development is considered to be acceptable having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations.

7 RECOMMENDATION

This application is recommended to be APPROVED subject to the following conditions;

TIME PERIOD

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

Reason:

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

PLANS

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

(Plans to be inserted)

Reason:

For the avoidance of doubt.

AFFORDABLE HOUSING

03. The affordable housing hereby permitted shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it and shall thereafter be so retained for the lifetime of the development.

Reason

The development of this site would otherwise be contrary to Policies SP4 of the Core Strategy and to Flood Risk Policy and it is therefore necessary to ensure that the dwellings provide affordable housing to meet a particular need for low-cost housing in the local area in perpetuity by secure arrangements.

MATERIALS

04. No development shall start above slab level until details of the details of the external materials have been submitted to and approved in writing by the Local Planning Authority, and only the approved materials shall be utilized.

Reason:

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

FLOOD RISK

05. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) by ADEPT, dated 20 October 2021 and reference 00.18286, and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 7 metres above Ordnance Datum (AOD)
- The mitigation measures detailed on pages 5 & 6 of the FRA are to be incorporated into the development.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

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

WASTE AND RECYCLING

- 0.6 Before the dwellings are occupied, Waste and re-cycling bins shall be provided in accordance with the minimum requirement of 4 x 420 litre wheeled bins in total (1 x refuse, 1 x Green waste, 2 x recycling)

Reason

In the interests of providing adequate provisions for the collection and removal of waste for re-cycling

LANDSCAPING

06. Before the start of any works above slab levels on the dwellings, a detailed landscaping scheme shall be submitted for the written approval of the Local Planning Authority. The approved scheme shall be carried out no later than the first planting season following the date when the development hereby permitted is ready for occupation. 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 of the locality and to ensure that the appearance of the development is satisfactory and to comply with Policy ENV1 of the Local Plan.

TREE PROTECTION

07. Before any work commences on site, the tree protection measures indicated in the Tree Protection Plan (TPP01 Rev A) and Section 7 of the Arboricultural Survey Report (Revision A – August 2021) by Smeeden and Foreman shall be erected and shall be adhered to throughout the construction phase until the development is substantially complete.

Reason

To ensure the trees indicated for retention are safeguarded during the construction phase and retained to protect the character and appearance of the area.

ECOLOGY

08. The development shall be carried out in accordance with the recommendations, mitigation and enhancement measures set out in section 5 and 6 of the Smeeden Foreman Preliminary Ecological Appraisal Revision B

Reason

IN the ecological interests of the site and the surrounding area and to comply with policies SP15 and SP18 of the Core Strategy and ENV1 of the Local Plan.

PUBLIC OPEN SPACE PROVISION

09. A scheme for the layout, landscaping, management, maintenance and timing of implementation for the public open space areas indicated on the Public Open Space Plan shall be submitted for the written approval of the Local Planning Authority. The approved details shall be implemented in full in the first planting season following the substantial completion of the development and the public open space areas shall be retained for the lifetime of the development in accordance with the approved details.

Reason

To ensure the replacement of adequate areas of open space are provided and retained in perpetuity

HIGHWAYS

10. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason:

To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

11. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason:

To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

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

The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E5 and the following requirements.

- a. Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- b. Provision should be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the specification of the Local Highway Authority.

All works must accord with the approved details.

Reason:

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

13. There must be no access or egress by any vehicles between the highway and the application site at Barff View until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been provided. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:

In the interests of highway safety.

14. There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) at Barff View until full details of the cycle parking has been submitted to and approved in writing by the Local Planning Authority: No part of the development must be brought into use until the vehicle access, cycle parking, vehicle parking, manoeuvring and turning areas at Barff View have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:

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

15. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
- (i) wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
 - (ii) the parking of contractors' site operatives and visitor's vehicles;
 - (iii) areas for storage of plant and materials used in constructing the development clear of the highway;
 - (iv) details of site working hours;
 - (v) contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition

In the interest of public safety and amenity.

CONTAMINATION

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

Reason:

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

ENVIRONMENTAL HEALTH

17. Prior to the site preparation and construction work commencing, a scheme to minimise the impact of noise, vibration, dust and dirt on residential property in close proximity to the site during the construction phase, shall be submitted to and agreed in writing with the Local Planning Authority

Reason:

To protect the residential amenity of the locality and in order to comply with the NPPF and Selby District Council's Policy's SP19 and ENV2.

WATER/DRAINAGE

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

Reason

In the interest of satisfactory and sustainable drainage

19. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason

To ensure that no surface water discharges take place until proper provision has been made for its disposal

20. No construction works in the relevant areas of the site shall commence until measures to divert the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. The developer shall submit evidence to the Local Planning Authority that the diversion has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason

In the interest of public health and maintaining the public sewer network

INFORMATIVES

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

Pedestrian Visibility Splays -An explanation of the terms used above is available from the Local Highway Authority.

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at:

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf

Other Permissions required from the Local Highway Authority Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Street works Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions). Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

8 Legal Issues

8.1 Planning Acts

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

8.2 Human Rights Act 1998

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

8.3 Equality Act 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However, it is considered that the

recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

9 Financial Issues

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

10 Background Documents

Planning Application file reference 2020/0014/FULM and associated documents.

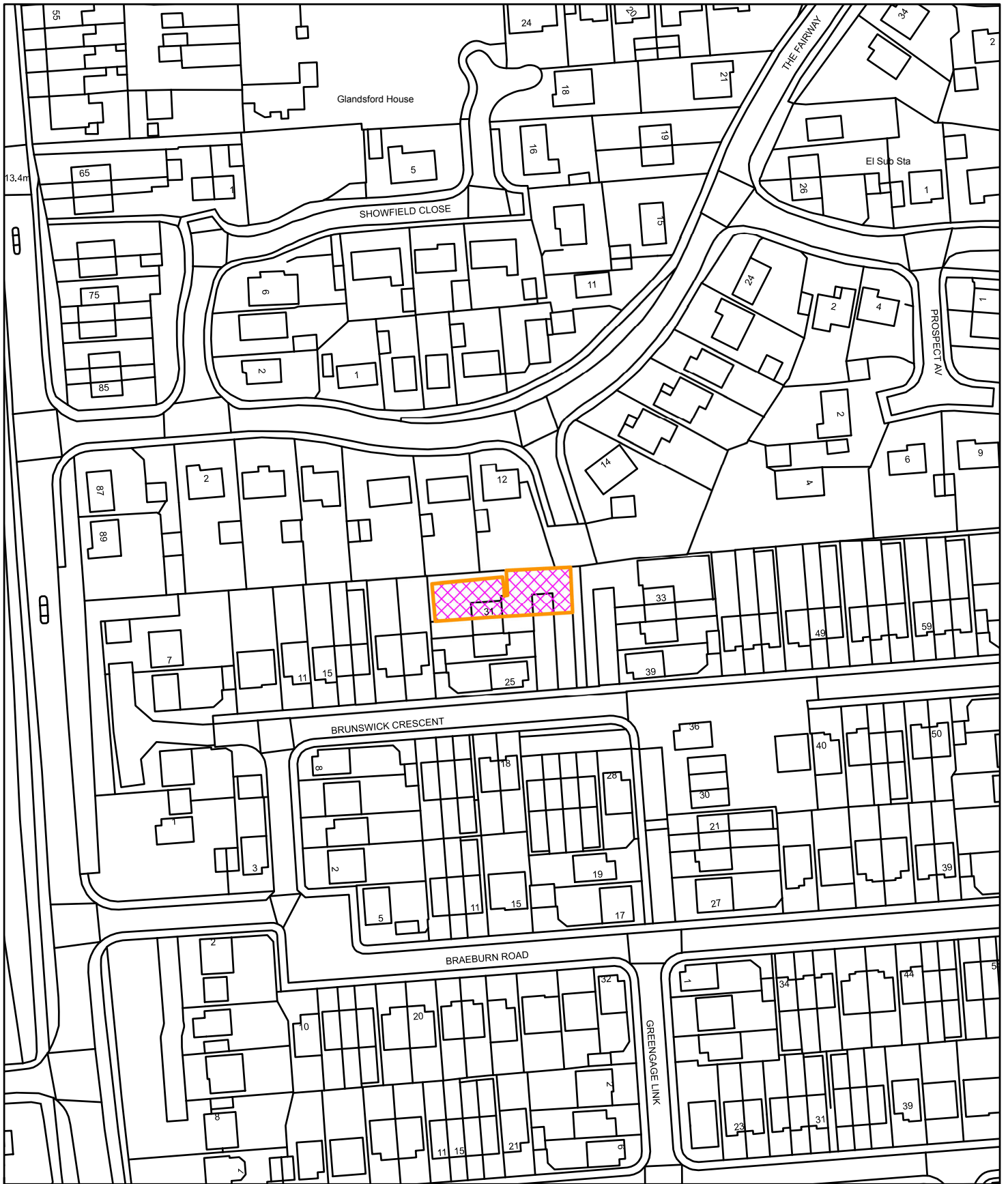
Contact Officer: Fiona Ellwood, Principal Planning Officer
fellwood@selby.gov.uk

Appendices: None

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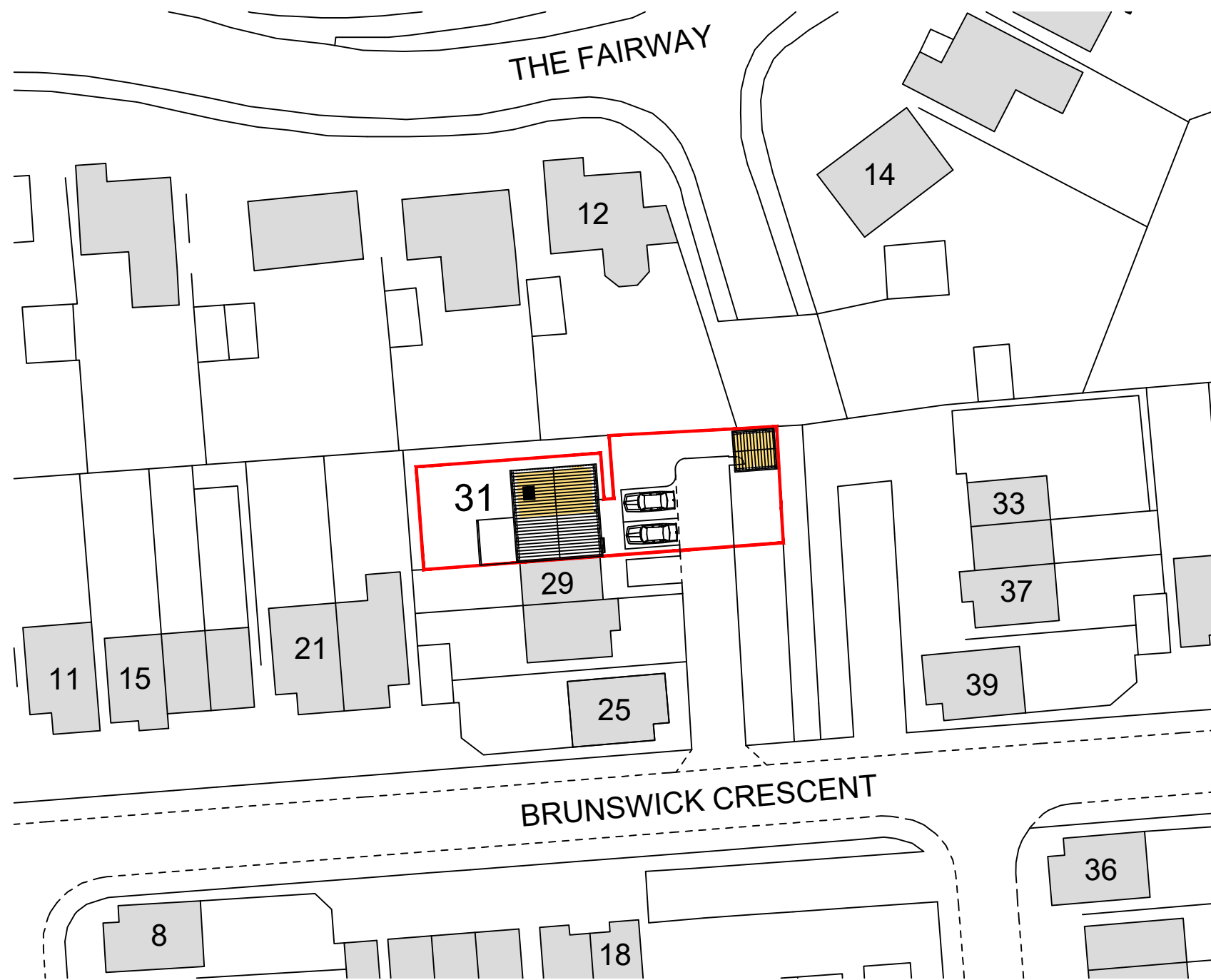
Agenda Item 5.2

31 Brunswick Crescent, Sherburn in Elmet
2021/1463/HPA

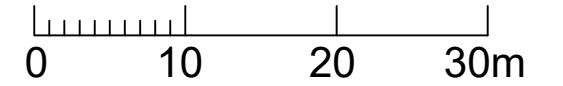


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Scale



AMENDED
DRAWING

REV	DATE	DESCRIPTION	BY	CHKD
A	14.01.22	REVISED IN ACCORDANCE WITH CLIENT INSTRUCTIONS	CF	FDP

LOCATION
31 Brunswick Crescent
Sherburn In Elmet
LS25 6GE

PROJECT
Proposed Alterations for
Mr & Mrs Sinkeviciene

DRAWING TITLE
Site Block Plan

SCALE & SIZE 1-500@A3	DATE 20.11.21
DRG No. 31BC.1.2A	JOB No. 861

FDP Architectural Solutions Limited
21 Garden Lane,
Sherburn In Elmet, LS25 6AT

M: 07444 855471
E: chris@fdpas.com



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Report Reference Number: 2021/1463/HPA

To: Planning Committee
Date: 9 March 2022
Author: Gareth Stent (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2021/1463/HPA	PARISH:	Sherburn In Elmet Parish Council
APPLICANT:	Mrs Irma Sinkeviciene	VALID DATE: EXPIRY DATE:	2nd December 2021 27th January 2022
PROPOSAL:	Two storey side extension to provide additional living accommodation plus detached outbuilding		
LOCATION:	31 Brunswick Crescent Sherburn In Elmet Selby North Yorkshire LS25 6GE		
RECOMMENDATION:	GRANT		

This application has been brought before Planning Committee as the applicant is an employee of Selby District Council within the planning service.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site lies within a modern housing estate, situated towards the southern end of the settlement and was constructed in 2016. The wider estate is a typical high-density development, with a mixture of house types, a series main estate roads and housing courts.
- 1.2 This particular dwelling, is a 2-bed end terrace within a row of 3 similar dwellings. No.31 Brunswick Crescent lies to the northern end of the row and is accessed via a private drive and has a large side garden to the north. The applicant's ownership also extends to the site frontage and runs alongside a footpath that is intended to be opened up to link Brunswick Crescent with The Fairway to the north.

- 1.3 To the north of the site are the detached dwellings of No.10 and No.12 The Fairway, to the west is the rear garden of No.23 Brunswick Crescent, to the south and adjoining is No.29. To the east is No.33-35, which replicates the character and form of the application site.

The Proposal

- 1.4 The proposal has been submitted as a householder application for the erection of a two-storey side extension to provide additional living accommodation (lounge, study utility area at ground floor and bathroom and bedroom at first floor), and the erection of a detached outbuilding on the site frontage.
- 1.5 The application has also been amended since the original submission. The previously shown garage has been reduced in length so it's now more of an outbuilding, as its incapable of accommodating a car. The roof pitch has also been changed and reduced in height. Changes have also been made to the parking layout and turning area.

Relevant Planning History

- 1.6 The wider residential estate has a detailed planning history, but the two main consents are listed below: the actual property in question has no recent planning history.
- 2012/0400/EIA - Outline planning application (accompanied by an Environmental Statement) for the construction of 498 dwellings to include access on Phase 2 land on land between Moor Lane and Low Street. Approved 21-OCT-13.
 - 2014/0321/REM - Reserved matters application for the erection of 249No. dwellings following outline approval 2012/0400/EIA (8/58/675Y/PA) on Phase 2 land on land between Moor Lane and Low Street. Approved 12-JUN-14.

2. CONSULTATION AND PUBLICITY

- 2.1 NYCC Highways Canal Rd – 23.12.21 - The principle of the development is acceptable to the Highway Authority. However, the car parking space adjacent to the garage will not be able to turn on site and it will block the garage preventing a vehicle leaving the garage without firstly moving the vehicle in the car parking space adjacent. I would therefore recommend that the applicant looks at the parking situation again and provides parking spaces which allow vehicles to proceed to the junction of Brunswick Crescent in a forward gear. The existing car parking space is fine. It is possible that the applicant could consider locating another space next to the existing car parking space.
- 2.2 Highways 2nd response:

(11.1.21) The applicant provided some additional justification about the current vehicle turning arrangements. The Highways Officer states:

‘Given that vehicle movements associated with the site have to currently reverse onto the highway, I have no objections to this remaining the case. As the applicant has indicated the level of off-street parking proposed is compliant with NYCC’s Parking Standards, therefore no Local Highway Authority objections are raised to

the proposed development. It is however recommended that the following condition is applied to any planning permission granted:

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

- 2.3 Highways 3rd response (21.1.22) – The Highway Authority has no objections and would recommend the same condition originally requested which is as follows:

MHC-09B - Provision of Approved Access, Turning and Parking Areas at 31 Brunswick Crescent

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at 31 Brunswick Crescent have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

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

- 2.4 Parish Council – No comments.

- 2.5 Publicity- the application was publicised by means of 2 site notices. 1 letter of representation was received from No.10 The Fairway to the north of the application site. The comments related to residential amenity and were as follows:

- Will the side extension effect the sun light coming into any gardens in the surrounding area, either on Brunswick Crescent or properties on The Fairway? Will the new extension look overpowering to the surrounding neighbours?

3 SITE CONSTRAINTS

Constraints

- 3.1 The site lies within development limits following its allocation as a residential allocation SHB/1, within a low-risk coal area and within flood risk zone 1.

4 POLICY CONSIDERATIONS

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

- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State, and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options 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 (July 2021) (NPPF) replaced the February 2019 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 2021 NPPF.
- 4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

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

Selby District Core Strategy Local Plan

- 4.6 The relevant Core Strategy Policies are:

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

Selby District Local Plan

- 4.7 **The relevant Selby District Local Plan Policies are:**

ENV1 - Control of Development

5 APPRAISAL

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

- The principle of the development
- Design and impact on the character and appearance of the area
- Impact on residential amenity
- Access, parking and turning

The Principle of the Development

- 5.2 The application site is located within the defined development limits of Sherburn and seeks permission for the erection of two-storey side extension and a detached single garage to the frontage. There is nothing in the NPPF to identify this type of development as being unsustainable or preclude in principle development of this type in this location.

Design and impact on the character and appearance of the area

- 5.3 The application site comprises of a two-storey end terrace, which has garden areas to the front, side and rear. The dwelling is approximately 5 years old and is modern in its appearance and reflects the character and form of the wider estate.
- 5.4 The host dwelling has a limited footprint, being a small 2-bed end terrace, however it is set within a generous plot and has a large side garden that is proposed to accommodate the extension. The current dwelling has a gable end facing north with eaves to a maximum height of 5 metres and ridge to a maximum height of 7.6 metres from ground level.
- 5.5 The proposed 2 storey extension would project out from the side elevation by 4.3 metres and span the full depth of the dwelling. The extension would have a gable roof with eaves to match the host dwelling. The extension would sit flush with the main frontage and ridge line would continue through. The extension will be set in from the northern boundary, which provides rear access for No.29.
- 5.6 In terms of the scale and massing, the extension is quite sizeable, when compared with the footprint of the host dwelling, and the proposal in effect doubles the size of the dwelling. Therefore, whilst not being subservient, in this instance the space and relationship with surrounding dwellings and the street scene means that it is capable of being supported. Visually it would give the appearance of the continuation of the terrace, except for the lack of a front door. The design, detailing, window size and positioning, all replicate that of the existing row and little visual benefit would be gained from stepping the ridge line down or recessing the frontage, which is normally encouraged.
- 5.7 The extension is off a small private drive and visually the extension will have no material harm to the overall street scene, particularly as this is so varied. The dwelling can be viewed from limited public vantage points currently, however this will be increased when the public footpath from Brunswick Crescent to Fairway to the north opens.
- 5.8 In terms of the outbuilding (3.8m x 3.2m), this is positioned in the privately owned land at the head of the private drive. This area has a relatively open character, and the construction of a garage will interrupt this. The building however is positioned right up to the northern boundary and tucked up against the fence. The garage faces east-west meaning only the 3.2m (width) end gable wall faces the footpath, which doesn't significantly increase the sense of enclosure on the public route. The design of the building has also changed from the original submission, being reduced in length from 5.2m to 3.8m to operate more of a garden store than garage, as its incapable of accommodating a car due to its length. The design has also changed with the ridge now running east west and being reduced in height to make it less dominating of the open frontage.

- 5.9 Furthermore, the proposed extensions and garage would use materials that were compatible with the of the main dwelling. Both elements are considered to have a neutral impact on the character of the local area. The proposals are therefore in compliance with policy SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan and the advice contained within the NPPF.

Impact on Residential Amenity

- 5.10 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 and loss of light to neighbouring properties and whether oppression would occur from the size, scale and massing of the development proposed.
- 5.11 With regards to overlooking, the proposed extensions would include 1no. window and 1 roof light at first-floor level to the rear elevation and 2no. window at first-floor level to the front elevation. The 2no. windows to the rear elevation would face out into the garden of the host dwelling. Beyond this is the garden of No.23, however this is over 9.7m away and the window will cause no more overlooking than currently exists. Also, no representations have been received from this neighbouring resident. To the frontage, the two new windows will be obscure glazed, as they serve a bathroom and dressing room and face onto the applicant's frontage garden, therefore no overlooking will occur. The northern gable is blank therefore no windows face the dwellings on The Fairway. Some oblique views may be possible from the rear first floor windows of the extension towards No.10, however this would not be to a level that warrants a refusal.
- 5.12 With regards to dominance and outlook, the proposed extension would bring the massing closer to the northern boundary, which it shares with No.10 & 12 The Fairway. The extension would be set in from the boundary and be set in 15 m from the rear aspect of No.10 and 19 m from No.12. This 15m from No 10 is due to No.10 having a single storey rear extension which has recently been permitted to extend at first floor under (2021/0513/HPA). This separation distance is considered suitable, particularly as most modern developments require an 11m rear to side gable relationship as a minimum. Likewise due to the position, scale and design of the outbuilding, no concerns have been raised in respect of dominance.
- 5.13 In terms of overshadowing concern was raised by No.10 in terms of sunlight coming into the rear garden. The proposed extension would be sited to the northern boundary of the application site, meaning the south facing gardens of No.10-12 will be affected to some degree. The sun passage means that the shadow caused by No.31 will stretch deeper into the gardens of the adjacent properties as the massing is closer to the boundary, however this will be periodic and will be less apparent once the sun moves west. In the absence of a sun path analysis officers are satisfied that the level of overshadowing will not be to a degree that makes the adjoining gardens unusable, and these will not be cast in full show as a result of the proposal. As such, potential for overshadowing would not be considered to be significant. Likewise due to the single storey nature of the garage no overshadowing will occur of neighbouring gardens.
- 5.14 Having regard to the above, it is considered that the proposal would not have any significant adverse impact on the amenities of the occupiers of any neighbouring residential properties. The amenities of the adjacent residents would therefore be preserved in accordance with Policy ENV1 (1) of the Selby District Local Plan.

Access, parking and turning

- 5.15 The scheme as originally submitted included the creation of a new garage and parking area. The proposal also increases the number of bedrooms at the dwelling from 2 to 3. The County Council Highways Officer was consulted on the proposed scheme and raised concern over the need for vehicles using the second vehicle space to reversing back from the private drive to the highway. It was explained by the applicant that this already occurs. The plans however were amended to create a 2nd more accessible parking space adjacent to the current space, and the turning area was extended to allow vehicles to leave the private drive in a forward gear.
- 5.16 The garage was also reduced in length making it incapable of accommodating a car and redescribed as an outbuilding. The scheme isn't reliant on the former garage being a third space as NYCC parking standards require 2 spaces per 3-bed dwelling, which this scheme shows. On this basis the highway officer raised no objection to the scheme subject to a condition requiring that the additional parking space and enhanced turning area is constructed before the extension is brought into use, and thereafter retained. The proposals are therefore considered to be acceptable as they would not result in any impact on highway safety and are in accordance with Policies ENV1 and T1 of the Local Plan.

6 CONCLUSION

- 6.1 Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not have a detrimental effect on the character and appearance of the area, on the residential amenity of the occupants of neighbouring properties or on highway safety. The application is therefore considered to be in compliance with Policies ENV1 and T1 of the Selby District Local Plan, Policies SP1, SP15 and SP19 of the Core Strategy and the advice contained within the NPPF.

7 RECOMMENDATION

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

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

Reason:

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

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

Site Block Plan DRG No.31BC.1.2A
Plans Sections & Elevations 31BC.1.1A

Reason:

For the avoidance of doubt.

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

Reason:

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

04. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at 31 Brunswick Crescent have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason

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

8 Legal Issues

8.1 Planning Acts

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

8.2 Human Rights Act 1998

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

8.3 Equality Act 2010

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

9 Financial Issues

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

10 Background Documents

Planning Application file reference 2021/1463/HPA and associated documents.

Contact Officer: Gareth Stent, Principal Planning Officer
gstent@selby.gov.uk

Appendices: None



List of Planning Applications Determined Under Delegated Powers

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

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2019/0934/FUL	Mrs C Coley	Wheatsheaf Hotel Moor Lane Sherburn In Elmet North Yorkshire LS25 6DX	Gala tent/marquee in beer garden and container storage unit (retrospective)	REFUSED 25 Jan 2022	Irma Sinkeviciene
2020/0080/FUL	Mrs Vu Thi Ha	31 Gowthorpe Selby YO8 4HE	Proposed conversion of existing 2 bed flat associated to existing retail unit to self-contained 3 bed flat with loft conversion	PERMITTED 31 Jan 2022	Emma Howson
2020/0207/FUL	The Landmark Trust	Cawood Castle 2 Thorpe Lane Cawood Selby North Yorkshire YO8 3SG	Proposed erection of an estate fence and gateway, planting of a perennial wildflower meadow, repair and consolidation of low-level ruined wall	PERMITTED 24 Jan 2022	Emma Howson
2020/0270/FUL	Mrs Ros Beattie	3 Church Hill Sherburn In Elmet North Yorkshire LS25 6AX	Conversion and extension of existing single storey bed and breakfast accommodation to form an independent dwelling	PERMITTED 12 Jan 2022	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0873/DOC	Bellway Homes Limited - Yorkshire Division	Brownfield Site 2 Leeds East Airport Busk Lane Church Fenton Tadcaster North Yorkshire	Discharge of conditions 7 (trees) & 22 (construction environmental management plan) of approval 2019/0325/FULM Proposed erection of 124 dwellings with open space and associated infrastructure following demolition of existing buildings	CONDITION DECISION 4 Feb 2022	Diane Holgate
2020/1068/FUL	Mr Ian O'Leary	Land off Riccall Mine Service Roads Riccall North Yorkshire	Installation of 2m high timber and steel gates and resurfacing of existing track (retrospective)	PERMITTED 12 Jan 2022	Emma Howson
2020/1304/FUL	Sean Vickers	Gokul Long Lane Great Heck Goole East Yorkshire DN14 0BT	Detached ancillary living accommodation	PERMITTED 18 Jan 2022	Elizabeth Maw
2020/1392/ADV	Mrs Magdalena Stepien	5 New Street Selby YO8 4PT	Advertisement consent for 7 No stickers (non-illuminated) and 1 No fascia sign (non-illuminated)	REFUSED 24 Jan 2022	Jac Cruickshank
2021/0108/FUL	Mr R Holmes	Land adjacent Elmstone House Low Street Carlton Goole East Yorkshire	Proposed erection of a single storey dwelling and detached store	PERMITTED 8 Dec 2021	Elizabeth Maw

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0294/ADV	David Delaney-Hall	Watsons MOT Service Centre Holme Lane Selby YO8 3EL	Advertisement consent for 1 No free standing totem signage board non illuminated	REFUSED 21 Jan 2022	Jac Cruickshank
2021/0356/FUL	Mr & Mrs Sean Marshall	Land Adjacent to Thorn Tree Cottage Low Street Carlton Selby North Yorkshire	Erection of detached dormer bungalow	PERMITTED 24 Dec 2021	Hannah Blackburn
2021/0381/HPA	Ms Jaqueline Wilson	106 Main Street Monk Fryston Selby North Yorkshire LS25 5DU	Erection of first floor extension over existing single storey domestic sitting room.	PERMITTED 31 Jan 2022	Elizabeth Maw
2021/0480/FUL	Mr Simon Broadist	Foxhills Boarding Kennels Market Weighton Road Barlby Selby North Yorkshire YO8 5DA	Erection of single storey building to form cattery	PERMITTED 3 Feb 2022	Emma Howson
2021/0486/MAN2	Harron Homes Yorkshire Ltd	Station Road Carlton Selby North Yorkshire	Non material amendment of 2018/0870/REMM Reserved matters application for the erection of 67 dwellings pursuant to 2014/1130/OUT on land to west	REFUSED 18 Jan 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0505/DOC	Priority Space (Access 63) Ltd	Land adjacent to A63 and East Common Lane Barlow Selby North Yorkshire	Discharge of conditions 03 (construction management plan), 04 (site management plan), 07 (access, turning, loading details), 08 (highway crossing/tactile paving), 09 (highway crossing/tactile paving), 12 (Ecological Mitigation Plan), 14 (sustainability), and 17 (exceedence flow plan) of approval 2019/0345/FULM Application for proposed B1, B2 and B8 employment use, landscaping works, car parking and vehicular, pedestrian circulation and other associated works at Access 63 Business Park, Selby	CONDITIONS PART DISCHARGED 17 Dec 2021	Gareth Stent
2021/0544/DOC	Countryside Properties	N S D S Centre Field Lane Thorpe Willoughby Selby North Yorkshire	Discharge of condition 12 (energy) of planning approval 2013/1041/OUT allowed at appeal APP/N2739/A/14/2216522 Outline application with all matters reserved for a residential development following the demolition of the existing buildings within the site	CONDITION DECISION 17 Jan 2022	Gareth Stent
2021/0546/DOC	Countryside Properties	N S D S Centre Field Lane Thorpe Willoughby Selby North Yorkshire	Discharge of Condition 13 (contamination) of planning approval 2013/1041/OUT allowed at appeal APP/N2739/A/14/2216522 Outline application with all matters reserved for a residential development following the demolition of the existing buildings within the site	CONDITION DECISION 17 Jan 2022	Gareth Stent

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0613/MAN2	Harron Homes Yorkshire Ltd	Station Road Carlton Selby North Yorkshire	Application for Non Material Amendment to layout approved under applications 2018/0871/REMM and 2014/1129/OUT for residential development. Amendments include alterations to plots 63 and 70 to allow for house type change, change of house type for plot 62 due to easement, alterations to privated drive to plots 62-65, plots 75 and 76 moved south to avoid easement	REFUSED 18 Jan 2022	Linda Drake
2021/0646/HPA	Mr Kevin Main	12 The Crescent Riccall Selby North Yorkshire YO19 6PL	Two storey side extension	PERMITTED 9 Dec 2021	Josh Turner
2021/0647/FUL	Beauty by Kerryn	60A St Marys Avenue Hemingbrough Selby North Yorkshire YO8 6YY	Erection of a timber building to serve as a beauty treatment room (retrospective)	PERMITTED 13 Jan 2022	Irma Sinkeviciene
2021/0659/DOC	M Boyes	The Old Vicarage 19 Gateforth Lane Hambleton Selby North Yorkshire YO8 9HP	Discharge of conditions 04 (detail of flues and air extraction vents), 05 (external door and window drawings) and 07 (building recording) of approval 2020/0288/HPA Proposed erection detached garage, conversion of stables and outbuildings and internal alterations	CONDITION DECISION 9 Dec 2021	Ellis Mortimer

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0672/FUL	Jack Small	Little Hinny York Road Barlby Selby North Yorkshire YO8 5JZ	Erection of 1 dwelling following demolition of existing stable and erection of a detached garage	PERMITTED 15 Dec 2021	Elizabeth Maw
2021/0696/DOC	M Boyes	The Old Vicarage 19 Gateforth Lane Hambleton Selby North Yorkshire YO8 9HP	Discharge of Conditions 04 (flues & air extraction vents), 05 (joinery) and 07 (building recording) of approval 2020/0289/LBC Listed building consent for proposed detached garage, conversion of stables and outbuildings and internal alterations	CONDITION DECISION 9 Dec 2021	Ellis Mortimer
2021/0703/FUL	Stephanie Scott	Gateforth Grange West Lane Burn Selby North Yorkshire YO8 8LR	Creation of a manege (retrospective)	PERMITTED 21 Dec 2021	Josh Turner
2021/0732/FUL	Spofforth Properties Ltd	15 School Road Hemingbrough Selby North Yorkshire YO8 6QS	Partial demolition and extension to rear to allow conversion of dwelling (C3) to residential care home (C2) and erection of building for use as a residential care home (C2)	PERMITTED 13 Dec 2021	Emma Howson
2021/0774/HPA	Mr Andrew Pearce	35 Fairfield Fairburn Selby North Yorkshire WF11 9LB	Erection of new single storey flat roof extension at rear of property	PERMITTED 15 Dec 2021	Ellis Mortimer

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0785/FUL	Mr Michael Rodger	Field Lane Sports Centre Field Lane Thorpe Willoughby Selby North Yorkshire YO8 9FL	Extension of existing car park	PERMITTED 8 Dec 2021	Hannah Blackburn
2021/0801/DOC	Brebur Limited	Land At The Haven Rawfield Lane Fairburn Selby North Yorkshire	Discharge of conditions 03 (materials), 04 (landscaping), 05 (tree protection), 07 (highways), 08 (highways), 09 (highways), 10 (highways), 13 (highways), 15 (vehicle access, parking, manoeuvring and turning areas), 17 (highways), 18 (onsite parking and materials storage), 19 (surface water drainage), 20 (surface water drainage), 22 (sewerage) & 23 (gas protection) of planning permission 2019/1352/FUL Proposed residential development of 6no dwellings and associated works	CONDITION DECISION 13 Jan 2022	Hannah Blackburn
2021/0821/HPA	Mr Mike Brereton	54 Mill Lane Ryther Tadcaster North Yorkshire LS24 9EG	First floor side and rear extension to existing semi-detached house to create additional living accommodation	PERMITTED 14 Dec 2021	Bethany Harrison
2021/0825/HPA	Mr Slinger	Aston House 112B High Street South Milford Selby North Yorkshire LS25 5AQ	Conversion of loft space to existing double garage including raising of the roof height and installation of 2 no. dormers and external staircase.	REFUSED 17 Dec 2021	Ellis Mortimer

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0847/HPA	Mrs Jason Gentles	Kelfield House Moor End Kelfield North Yorkshire YO19 6RJ	Two storey extension to rear creating additional bedrooms	PERMITTED 14 Jan 2022	Josh Turner
2021/0865/HPA	Mrs Jill Wheeler	Greystones Main Street Towton Tadcaster North Yorkshire LS24 9PB	Demolition of garage and rebuilding of double garage with home office above	PERMITTED 21 Dec 2021	Irma Sinkeviciene
2021/0880/HPA	Mr Adam Charles	32 Kelcbar Way Tadcaster North Yorkshire LS24 9NX	Two storey side extension with removal of existing garage	PERMITTED 12 Jan 2022	Bethany Harrison
2021/0882/DOC	Martin Hey	191 Leeds Road Selby North Yorkshire YO8 4JH	Discharge of Conditions 03 (materials) and 08 (surface water) of approval 2020/1380/FUL Demolition of existing bungalow and erection of a new 4 bed detached dormer bungalow	CONDITION DECISION 3 Feb 2022	Jac Cruickshank
2021/0887/DOV	Broadacres Housing Association	Station Road Riccall Selby North Yorkshire	Request for a Deed of Variation to Section 106 agreement of approval 2007/1103/FUL Erection of 58 residential dwellings and associated works following demolition of existing industrial units at 9-11 Station Road and land at former haulage/warehousing premises	PERMITTED 16 Dec 2021	Emma Howson

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0893/FUL	Mr Tim Gaskell	Caravan at Dunelm Farm King Rudding Lane Riccall Selby North Yorkshire YO19 6QL	Retention of timber cabin for use as a dwelling to replace the adjacent twin unit caravan dwelling	REFUSED 21 Dec 2021	Jenny Tyreman
2021/0901/DOC	Countryside Properties	N S D S Centre Field Lane Thorpe Willoughby Selby North Yorkshire	Discharge of condition 09 (Construction Environmental Management Plan) of planning permission 2013/1041/OUT allowed at appeal APP/N2739/A/14/2216522 Outline application with all matters reserved for a residential development following the demolition of the existing buildings within the site	CONDITION DECISION 3 Feb 2022	Gareth Stent
2021/0909/HPA	Mr A Pearson	Runmidd 40 Main Street Escrick Selby North Yorkshire YO19 6UQ	New front entrance door to existing dwelling including alterations to existing single storey roof, window and door openings, internal layout and the removal of existing chimney	PERMITTED 4 Feb 2022	Josh Turner
2021/0910/FUL	Heineken UK	John Smiths Brewery High Street Tadcaster North Yorkshire LS24 9SA	Replacement of existing condenser 9	PERMITTED 16 Dec 2021	Bethany Harrison
2021/0923/OUT	Mrs C Killington	13 Green Lane Selby North Yorkshire YO8 9AN	Outline application including access, layout and scale (all other matters reserved) for the erection of single two storey dwelling with attached garage	REFUSED 26 Jan 2022	Kelly Sweeney

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0924/HPA	RHJL Properties	Beckett House 3 Fairfax Close Appleton Roebuck Selby North Yorkshire YO23 7BT	New Velux roof light to main bathroom and light tunnel to first floor landing	PERMITTED 23 Dec 2021	Bethany Harrison
2021/0926/CPE	Mrs Julie Gaskell-Horner	Caravan At Dunelm Farm King Ridding Lane Riccall Selby North Yorkshire YO19 6QL	Lawful development certificate for the siting of a twin unit caravan for use as a dwelling and use of adjoining land for purposes incidental to the use and enjoyment of the dwelling (e.g. parking, turning, yard area, bin storage)	REFUSED 21 Dec 2021	Jenny Tyreman
2021/0967/FUL	Escrick Church of England Primary School	Escrick Church of England School Carr Lane Escrick Selby North Yorkshire YO19 6JQ	Removal of low level (approx 1000mm high) dilapidated and unsecure timber fencing along the A19 and Carr Lane and replace with 1800mm high metal weldmesh fencing, installation of automated vehicle and pedestrian entrance gates, works are to improve site security and pupil safeguarding	PERMITTED 21 Dec 2021	Jac Cruickshank
2021/0968/FUL	Yorkshire Water	Land Off Old Great North Road Brotherton Knottingley West Yorkshire	Pull-in parking area on land adjacent to the A1246 dual carriageway east of Brotherton	PERMITTED 17 Dec 2021	Diane Holgate
2021/0971/COU	Mrs Nicola Birkett	Austfield Farm Austfield Lane Hillam Selby North Yorkshire LS25 5NQ	Change of use of land to dog training (sui generis)	REFUSED 8 Dec 2021	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0972/TPO	Mr Clarke	Badgers End Ouston Lane Tadcaster North Yorkshire LS24 8DP	Application for consent to remove 1no Yew tree (T1) and replace with 3no 14-16' Silver Birch trees along the northern boundary covered by TPO 17/1985	REFUSED 3 Feb 2022	Bethany Harrison
2021/0980/DOC	Renewable Energy Systems Ltd (RES Ltd)	Land Off New Road Drax Selby North Yorkshire	Discharge of condition 04 (Arboricultural Method Statement) of approval 2020/1357/FULM 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	CONDITION DECISION 9 Dec 2021	Jenny Tyreman
2021/0988/DOC	Lincolnshire Co-operative Limited	Land Adjacent Duddings Farm High Street Carlton Selby North Yorkshire	Discharge of condition 3 (access) and 22 (landscaping) of approval 2019/1020/FUL Proposed erection of a new single storey retail unit consisting of sales area approximately 280 square metres under the use class A1 and back of house area approximately 103 square metres, along with the associated hard and soft landscaping within the site boundary	CONDITION DECISION 4 Feb 2022	Elizabeth Maw
2021/0990/HPA	Mr & Mrs Bowey	Little Common Farm Biggin Lane Biggin Selby North Yorkshire LS25 6HH	Erection of single storey side extension	PERMITTED 17 Jan 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0991/DOC	Wheatley Developments	Land adjacent 27 Low Street Sherburn In Elmet North Yorkshire	Discharge of conditions 03, 05, 06, 07, 08, 12 and 14 of approval 2020/1265/FUL Proposed residential development comprising 5 new build houses with 11 parking spaces and associated parking	CONDITION DECISION 25 Jan 2022	Elizabeth Maw
2021/1003/HPA	Andrew Cannon	10 Legion Street South Milford Selby North Yorkshire LS25 5AY	Erection of part two storey/part single storey side extension and single storey rear extension.	PERMITTED 7 Feb 2022	Ellis Mortimer
2021/1009/DOC	Thomas Pilcher Homes Ltd	Land Off Back Lane Bilbrough Selby North Yorkshire	Discharge of Conditions 07 (surface water drainage), 10 (land contamination), 11 (remediation scheme) and 12 (verification report) of approval 2021/0143/S73 Section 73 application to vary/remove condition 02 (approved plans) of approval reference number 2018/0701/FUL proposed erection of detached dwelling and garage granted on 18 January	CONDITION DECISION 27 Jan 2022	Irma Sinkeviciene
2021/1016/HPA	Mr John Hutchinson	Water Music 11 Ings Mere Court Fairburn Selby North Yorkshire WF11 9JN	Erection of single storey side extension to form ancillary accommodation	PERMITTED 8 Dec 2021	Ellis Mortimer
2021/1022/HPA	Mr & Mrs Clugston	Station Masters House 30 Broad Lane Cawood Selby North Yorkshire YO8 3SQ	Demolition of existing side extension, erection of single storey side and rear extension and erection of double garage with office above	PERMITTED 21 Jan 2022	Josh Turner

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1040/HPA	Mr Natalie Richardson	33 Baffam Gardens Brayton Selby North Yorkshire YO8 9AY	Single storey flat roof extension to side and rear of the existing property and render to the front elevation of the host dwelling.	PERMITTED 23 Dec 2021	Josh Turner
2021/1045/HPA	Mr & Mrs Bispham	35 Holmefield Close Brayton Selby North Yorkshire YO8 9LR	Demolition of existing conservatory. Proposed single storey side and rear extension	PERMITTED 18 Jan 2022	Josh Turner
2021/1046/TPO	Dr Allan Wood	Broadacres 22 Main Street Escrick Selby North Yorkshire YO19 6UQ	Application for consent to remove 2no Sycamore tree (T1 & T8), 1no Crab Apple tree (T2), 4no Purple Leafed Cherry Plum trees (T4, T5, T6, T7), 1no Holly tree (T9) and 1no Spruce tree (T10), reduce overall height 3.6m above ground level to Leylandii hedge (H1), reduce canopy height in line with low level leylandii height to 1no Holly tree (T11) and to remove front section to the front of the beech tree to Laurel hedge (H2) within the conservation area and crown clean canopy of 1no Beech tree (T3) covered by TPO 1/1993	PERMITTED 20 Jan 2022	Will Smith
2021/1052/HPA	Mr Nicholas Head	67 Stutton Road Tadcaster North Yorkshire LS24 9HE	Upgrade of wooden cladded material currently fixed to dormer extension and installation of an extension to existing vehicular access	PERMITTED 14 Dec 2021	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1055/TPO	Paul Dhesi	Grey Gables Cat Lane Bilbrough Selby North Yorkshire YO23 3PN	Application for consent to crown lift by 5m, clear by 5.2m over the highway and remove deadwood, die back, damaged branches and epicormic shoots to 1No Oak tree covered by TPO 11/2003	PERMITTED 10 Dec 2021	Will Smith
2021/1058/HPA	Ms Fiona Kearns	1 St Marys View Brayton Selby North Yorkshire YO8 9FR	Erection of first floor artist's studio over detached single garage with new stair access to be integrated into main house	PERMITTED 16 Dec 2021	Jac Cruickshank
2021/1062/TPO	Mr Parker	Oakmead Kelfield Road Riccall Selby North Yorkshire YO19 6PG	Crown reduction by 1 metres and crown lift by 5 metres to 1 No Oak tree covered by TPO 21/2003	PERMITTED 21 Jan 2022	Will Smith
2021/1066/HPA	Mr John Johnson	36 St Leonards Avenue Osgodby Selby North Yorkshire YO8 5HE	Rear two storey extension	PERMITTED 10 Dec 2021	Jac Cruickshank
2021/1077/FUL	Mrs Thorpe	Land off Lowfield Road Hillam Selby North Yorkshire	Erection of 2 No. lean-to to either side of existing agricultural building	PERMITTED 23 Dec 2021	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1078/HPA	Mr Jonny Botting	Juniper Cottage Main Street Thorganby Selby North Yorkshire YO19 6DA	Proposed single storey rear extension, loft conversion with dormer roof extensions and internal alterations to existing detached bungalow to create additional living accommodation	REFUSED 20 Dec 2021	Jac Cruickshank
2021/1093/FUL	Selby Area Internal Drainage Board	Hagg Bush Farm Hagg Bush Lane Burn Selby North Yorkshire	Change of use from agricultural storage to depot for Selby Area Internal Drainage Board with external alterations and siting of the modular site office/changing room	PERMITTED 23 Dec 2021	Hannah Blackburn
2021/1105/TPO	Mr Keith Aitchison	46 Park Lane Barlow Selby North Yorkshire YO8 8EW	Application for consent to crown lift by 5m and crown thin by 20% to 1No Oak tree (T46) covered by TPO 11/1985	PERMITTED 10 Dec 2021	Will Smith
2021/1106/HPA	Mr & Mrs Martin Finney	Railway Cuttings Main Road Temple Hirst Selby North Yorkshire YO8 8QN	Erection of first floor extension to existing detached garage to form additional domestic living space	PERMITTED 14 Jan 2022	Ellis Mortimer
2021/1114/DOC	Legal & General Modular Homes	Selby District Council - Old Civic Centre Portholme Road Selby North Yorkshire	Discharge of condition 41 of approval 2020/0776/FULM Redevelopment of the site to provide 102 residential units (Use Class C3), along with associated parking provision, construction of the vehicular access onto Portholme Road and laying out of open space	CONDITION DECISION 20 Jan 2022	Gareth Stent

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1115/HPA	Mr & Mrs Thorpe	Dovecot 24 Sherburn Street Cawood Selby North Yorkshire YO8 3SS	Demolition of existing outbuilding. Proposed single storey rear extension	PERMITTED 7 Jan 2022	Jac Cruickshank
2021/1116/FUL	Rebecca Nutter	Hallgarth Barn Moor Lane Catterton Tadcaster North Yorkshire LS24 8DH	Erection of agricultural storage building	REFUSED 22 Dec 2021	Irma Sinkeviciene
2021/1127/FUL	Fenton Flyer Ltd	The Fenton Flyer Main Street Church Fenton Tadcaster North Yorkshire LS24 9RF	Change of use of rear garden to 5 touring/camping pitches with electric hook up and a mobile amenity block and erection of 1no glamping pod	REFUSED 17 Dec 2021	Irma Sinkeviciene
2021/1145/HPA	Mr R Cole	7 Spring Walk Brayton Selby North Yorkshire YO8 9DS	Erection of single storey rear extension following demolition of conservatory and the extension and conversion of the existing garage	PERMITTED 6 Jan 2022	Jac Cruickshank
2021/1161/HPA	Carol Garton	84 Moor Lane Sherburn In Elmet North Yorkshire LS25 6DN	Erection of a single storey rear extension	PERMITTED 16 Dec 2021	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1168/HPA	Michelle Kay	The Tower Highmoor Leeds Road Tadcaster North Yorkshire LS24 9NE	Single storey front extension with roof terrace	PERMITTED 7 Dec 2021	Bethany Harrison
2021/1171/TCA	Monk Fryston, Hillam & Burton Salmon Joint Burial Committee	Cemetery Main Street Monk Fryston Selby North Yorkshire	Application for consent for formative pruning and crown lift to 2.5m to 2no Irish Yew (T3 & T4) formative pruning to 1no Irish Yew (T10), fell 1no Sawara Cypress (T18) and crown lift to 2m to 1no Walnut (T27) within the conservation area	PERMITTED 10 Jan 2022	Will Smith
2021/1173/HPA	Health Care	Cutters End Wath Lane Ulleskelf Tadcaster North Yorkshire LS24 9DR	Erection of front, side and rear single storey extensions	PERMITTED 2 Feb 2022	Mandy Cooper
2021/1174/SCN	Countryside Properties (UK) Limited	Cross Hills Lane Selby North Yorkshire	Request for a screening opinion for proposed residential development (up to 240 dwellings) on land off Cross Hills Lane	EIA NOT REQUIRED 6 Jan 2022	Linda Drake
2021/1177/FUL	First4RealEstate	Clematis Cottage Church Hill Wistow Selby North Yorkshire YO8 3UU	Erection of new dwelling on land west of Clematis Cottage	REFUSED 7 Jan 2022	Diane Holgate

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1183/HPA	Mr L Patterson	72 Garden Lane Sherburn In Elmet North Yorkshire LS25 6AU	Proposed garden shed and playhouse within garden (retrospective)	PERMITTED 12 Jan 2022	Bethany Harrison
2021/1186/HPA	Mrs S Davies	3 Dorts Crescent Church Fenton Tadcaster North Yorkshire LS24 9RU	Double storey side extension and alterations to conservatory roof	PERMITTED 20 Dec 2021	Mandy Cooper
2021/1191/FUL	The Landmark Trust	The Landmark Trust Cawood Castle Thorpe Lane Cawood Selby North Yorkshire YO8 3SG	Installation of hand forged lightweight safety hand railing to the back of the parapet to the Gatehouse tower roof	PERMITTED 19 Jan 2022	Jac Cruickshank
2021/1194/CPE	Mr & Mrs Usher	Adamson House Hall Garth Osgodby Selby North Yorkshire YO8 5SR	Lawful development certificate for existing use of land as domestic garden in association with residential use at Adamson House	REFUSED 26 Jan 2022	Irma Sinkeviciene
2021/1196/COU	Big Bale Services Ltd	Fulham House Farm Fulham Lane Whitley Goole North Yorkshire DN14 0JL	Change of use of agricultural building to form industrial units (retrospective)	PERMITTED 20 Dec 2021	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1197/COU	Mr David Johnson	Heck Hall Farm Heck and Pollington Lane Heck Selby North Yorkshire	Change of use of land for open air storage comprising two parcels of hardstanding (retrospective)	PERMITTED 26 Jan 2022	Hannah Blackburn
2021/1201/COU	Mr Chris Wright	Saxton Grange Doncaster Road Towton Tadcaster North Yorkshire LS24 9PE	Change of use of land to residential garden (retrospective)	PERMITTED 6 Jan 2022	Irma Sinkeviciene
2021/1202/DOC	The Coalfields Regeneration Trust	Former Kellingley Colliery Turvers Lane Kellingley Selby North Yorkshire WF11 8DT	Discharge of condition 06 (electric vehicle charging points) of approval 2020/0123/REMM Reserved matters application including appearance, landscaping, layout and scale 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 sq ft (135,500 sq m) 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 21 Dec 2021	Jenny Tyreman

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1204/OUT	JNS Construction	Bungalow Dove Cote Farm Field Lane Hensall Goole North Yorkshire DN14 0RE	Outline application (all matters reserved) for the erection of 4 new dwellings on the site of existing bungalow including 2 semi-detached dwellings, 1 detached bungalow and 1 detached 4 bed dwelling	REFUSED 17 Jan 2022	Irma Sinkeviciene
2021/1207/DOC	David Storrie	Selby District Council - Old Civic Centre Portholme Road Selby North Yorkshire	Discharge of Conditions 19 (landscaping) and 20 (landscaping scheme) of approval 2020/0776/FULM Redevelopment of the site to provide 102 residential units (Use Class C3), along with associated parking provision, construction of the vehicular access onto Portholme Road and laying out of open space	CONDITIONS NOT DISCHARGED 20 Jan 2022	Gareth Stent
2021/1210/DOC	S Wilkinson	Old Hall Farm Scarthingwell Lane Towton Tadcaster North Yorkshire LS24 9PF	Discharge of Conditions 03 (building recording), 04 (external colour), 05 (windows), 06 (doors), 08 (internal construction) and 09 (external construction) of approval 2019/0267/LBC Listed building consent for conversion of farm buildings to residential use, creating 9 No dwellinghouses, and repair, restoration and alteration of Grade II listed farm buildings	CONDITION DECISION 18 Jan 2022	Mandy Cooper
2021/1218/HPA	Mr & Mrs Baker	3 Little Ings Close Church Fenton Tadcaster North Yorkshire LS24 9RZ	Erection of single storey front porch and front extension	PERMITTED 1 Feb 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1221/HPA	Ms Katy Robertshaw	2 Chapelfields Cliffe Selby North Yorkshire YO8 6NW	Installation of additional section of dropped kerb and resurfacing of vehicular access	PERMITTED 15 Dec 2021	Jac Cruickshank
2021/1222/HPA	Mr Derek Marshall	3 Chapelfields Cliffe Selby North Yorkshire YO8 6NW	Installation of an additional section of dropped kerb and resurfacing of vehicular access	PERMITTED 15 Dec 2021	Jac Cruickshank
2021/1234/HPA	Mr David Hinchliffe	25 Garthends Lane Hemingbrough Selby North Yorkshire YO8 6QW	Erection of single storey rear extension	PERMITTED 10 Dec 2021	Jac Cruickshank
2021/1240/HPA	Andrew Whale	2 Hallgarth Close Ulleskelf Tadcaster North Yorkshire LS24 9TW	Construction of a small workshop built alongside outside wall of garage (retrospective)	PERMITTED 14 Dec 2021	Irma Sinkeviciene
2021/1241/CPE	Mrs Y Yates	Lund Hall Farm Hull Road Cliffe Selby North Yorkshire YO8 6PE	Lawful development certificate for existing use of land as garden	PERMITTED 7 Feb 2022	Elizabeth Maw
2021/1243/TCA	Mrs Josephine Carr	Water Lane Kirk Smeaton Pontefract West Yorkshire	Application for consent to pollard 10No Willow trees in the conservation area	PERMITTED 10 Jan 2022	Will Smith

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1244/S73	Mr John Wilson	Villino 3 Lakeside Mews Riccall Lane Kelfield Selby North Yorkshire YO19 6RE	Section 73 application to vary condition 02 (approved plans) of planning permissions 2017/0866/FUL Proposed conversion of existing outbuilding to a dwelling (Use Class C3) granted on 10 January 2018	PERMITTED 20 Dec 2021	Jac Cruickshank
2021/1246/TPO	Mrs Suzanne Cooley	41 Topcliffe Court Selby North Yorkshire YO8 3WB	Application for consent to crown lift 1No Oak tree by 5% and remove deadwood covered by TPO 4/1999	PERMITTED 7 Jan 2022	Will Smith
2021/1252/ADV	Clipper Logistics	4 Hurricane Way South Sherburn In Elmet North Yorkshire LS25 6PT	Advertisement consent for 1 No internally illuminated fascia sign and 3 No non illuminated fascia signs	PERMITTED 24 Jan 2022	Bethany Harrison
2021/1254/HPA	Mr Paul Woods	The Willows Moor End Kelfield North Yorkshire YO19 6RJ	Erection of single and two storey extensions to existing detached bungalow to create additional living accommodation	PERMITTED 10 Dec 2021	Jac Cruickshank
2021/1260/DOC	Mr Richard Whitfield	Saxon Holme Coldhill Lane Saxton Tadcaster North Yorkshire LS24 9TA	Discharge of condition 3 (materials) of approval 2019/0476/FUL Proposed erection of new dwelling on land to the west of	CONDITION DECISION 17 Dec 2021	Fiona Ellwood
2021/1261/HPA	Carly Hullah	126 Westbourne Road Selby North Yorkshire YO8 9XD	First floor side extension and conversion of existing garage to living accommodation	PERMITTED 13 Jan 2022	Josh Turner

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1266/TCA	Mr Henry Houseman	North House Farm Oxton Lane Bolton Percy York North Yorkshire YO23 7AN	Application for consent to fell 1No Weeping Ash tree and replace with adjacent 1No Weeping Beech tree in the conservation area	PERMITTED 10 Jan 2022	Will Smith
2021/1274/LBC	Mr & Mrs Lambeth	Hall Farm Barns 11 Hillam Hall View Hillam Selby North Yorkshire LS25 5NR	Listed building consent for installation of photovoltaic panels and log burning stove chimney	PERMITTED 7 Jan 2022	Ellis Mortimer
2021/1275/HPA	Mr & Mrs Lambeth	Hall Farm Barns 11 Hillam Hall View Hillam Selby North Yorkshire LS25 5NR	Installation of photovoltaic panels and log burning stove chimney	PERMITTED 7 Jan 2022	Ellis Mortimer
2021/1276/COU	Royal Mail	Selby Sorting Office Micklegate Selby North Yorkshire YO8 4EH	Change of use from a post office to a sorting hall (retrospective)	PERMITTED 1 Feb 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1288/MAN2	Harworth Group	Former Kellingley Colliery Turvers Lane Kellingley Selby North Yorkshire WF11 8DT	Non-material amendment 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 sq ft (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	PERMITTED 7 Feb 2022	Jenny Tyreman
2021/1293/TCA	Mr Richard Rowson	1 Carrs Meadow Escrick Selby North Yorkshire YO19 6JZ	Application for consent to prune 1No Laurel tree to 2.25m height and 1.75m from the fence line, fell 1No Magnolia tree (T2), crown lift and crown thin 1No Apple tree (T3) up to 25%, crown lift 2No Holly trees (T4 & T6) to 2m, prune 1No Leylandii tree (T5) to between 2.5m and 3m in line with the southerly elevation fence and up to 0.75m from northern fence and crown thin and crown reduce 1No Wild Cherry tree (T7) by up to 30% in the conservation area	PERMITTED 10 Jan 2022	Will Smith
2021/1294/TCA	Escrick Parish Council	Carrs Meadow Escrick Selby North Yorkshire	Application for consent to carry out remedial works to a Hawthorn hedgerow in the conservation area	PERMITTED 10 Jan 2022	Will Smith

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1300/TPO	Ms Becky Dobson	17 Lynton Close Brayton Selby North Yorkshire YO8 9ED	Crown lift by 5m and crown reduce by 2m to 1 No Beech tree (red outline on map) and crown lift by 5m and crown reduce by 2m to 1 No Lime tree (blue outline on map) covered by TPO No 28/1986	PERMITTED 10 Jan 2022	Will Smith
2021/1316/TPO	Mr Stephen Baylis	Hillcrest Main Street Appleton Roebuck Selby North Yorkshire YO23 7DA	Application for consent to prune deadwood, removal of one branch and crown lifting by 4m to 1No Alder tree covered by TPO 9/2005	PERMITTED 10 Jan 2022	Will Smith
2021/1320/HPA	Mr Barry Aveyard	67 Sand Lane South Milford Selby North Yorkshire LS25 5BA	Ground floor rear extension and extension to existing dormer	PERMITTED 7 Jan 2022	Ellis Mortimer
2021/1321/FUL	Mr & Mrs Usher	Adamson House Hall Garth Osgodby Selby North Yorkshire YO8 5SR	Erection of garage/garden store (part retrospective)	REFUSED 1 Feb 2022	Irma Sinkeviciene
2021/1322/DOC	Mr & Mrs Richard Lee	Land east of Croft Cottages York Road Stillingfleet Selby North Yorkshire	Discharge of condition 02 (surface water), 04 (highways) and 07 (joinery details) of planning permission 2019/1064/FUL Proposed erection of a detached two storey dwelling and detached single storey garage	CONDITION DECISION 11 Jan 2022	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1323/FUL	Mr Chris Watson	Willow Barn Sweeming Lane Little Fenton Selby North Yorkshire LS25 6HF	Erection of oak framed car port (retrospective)	PERMITTED 19 Jan 2022	Mandy Cooper
2021/1330/FUL	Mr Mark Campbell	The Chimneys Field View Byram Knottingley North Yorkshire WF11 9EN	Change of use of dwelling for a guest house for up to 7 people (Class C1) and installation of rooflights on the front and rear facing roof slopes	PERMITTED 21 Jan 2022	Elizabeth Maw
2021/1333/HPA	Karen McCarthy	2 Buttermere Court Selby North Yorkshire YO8 4BD	Erection of a two storey side extension and single storey rear extension	PERMITTED 14 Jan 2022	Jac Cruickshank
2021/1335/FUL	Mrs M Bray	Land adjacent A19 Station Road Riccall Selby North Yorkshire	New one person starter home	REFUSED 16 Dec 2021	Gareth Stent
2021/1339/CPE	C E & J E Clark	Hollytree Cottage Garman Carr Lane Wistow Selby North Yorkshire YO8 3UW	Lawful development certificate for Implementation / start of works on site regarding planning approval 2017/1256/FUL on land west of	PERMITTED 1 Feb 2022	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1340/S73	Mr & Mrs G Blair	6 Limetree Close Thorpe Willoughby Selby North Yorkshire YO8 9PH	Section 73 application to vary condition 02 (approved plans) and condition 03 (stonework) of approval 2020/0709/HPA - Erection of front extension and side extension with room in the roof, granted 01.09.2020, to allow the front elevation to be constructed in brick to match the main dwelling (retrospective).	PERMITTED 23 Dec 2021	Ellis Mortimer
2021/1341/DOC	Mr Mike Ramsay	The Old Windmill Old Road Appleton Roebuck Selby North Yorkshire YO23 7EL	Discharge of conditions 03 (materials), 04 (materials), 05 (joinery paintwork), 08 (landscape) 13 (surface water) and 14 (soakaways) of approval 2021/0347/FUL Conversion and extension to windmill to form dwelling (retrospective)	CONDITION DECISION 12 Jan 2022	Yvonne Naylor
2021/1344/HPA	Mr Sean Hally	9 Heather Close Selby North Yorkshire YO8 9XP	Single storey extension to existing porch to create downstairs WC	PERMITTED 22 Dec 2021	Jac Cruickshank
2021/1358/HPA	Mr & Mrs Hicks	Springwood Burn Lane Burn Selby North Yorkshire YO8 8LF	Erection of single storey rear extension and front porch, raising of the roof and demolition of existing porch and conservatory	PERMITTED 24 Jan 2022	Ellis Mortimer
2021/1361/SCP	WSP	Selby Station Station Road Selby North Yorkshire YO8 4NW	EIA Scoping request for proposed development on land at	SCOPING RESPONSE ISSUED 20 Dec 2021	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1363/S73	Joe Rodgers	151 Doncaster Road Brayton Selby North Yorkshire YO8 9AU	Section 73 application to vary condition 02 (approved drawings) and 03 (materials) of approval 2021/0138/HPA Erection of ground and first floor rear extension and erection of detached double garage following demolition of 2 single pre-fab garages granted on 27 July 2021	PERMITTED 23 Dec 2021	Irma Sinkeviciene
2021/1367/HPA	Mr Phil Marsh	Moorlands 6 Fostergate Cawood Selby North Yorkshire YO8 3TA	Extension to the front of the existing double garage, extension to extend 1.4m to the front of the garage and across the full width, 0.7m of this to be enclosed with brick/new garage doors and remaining 0.7m to be open under a pitched canopy with one side ending against the existing house wall and the other side against a new wall extended out from the end of the house and oak beam columns to be fitted at each side and in the middle of the canopy	PERMITTED 14 Jan 2022	Jac Cruickshank
2021/1370/HPA	Wendy Harrington	South Newlands Cottage Selby Road Riccall Selby North Yorkshire YO19 6FQ	Single storey rear extension with 1st floor balcony	REFUSED 22 Dec 2021	Jac Cruickshank
2021/1371/COU	Mrs Kathleen Elsworth	53 Micklegate Selby North Yorkshire YO8 4EA	Change of use of ground floor from tea rooms/cafe to delicatessen and wine bar	PERMITTED 31 Jan 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1392/HPA	Mr Trevor Foster	81 Leeds Road Selby North Yorkshire YO8 4JG	Construction of single storey flat roofed rear extension to form ground floor bedroom and bathroom with link back to the host property	PERMITTED 17 Jan 2022	Bethany Harrison
2021/1397/HPA	Richard Penistone	11 Gateforth Court Hambleton Selby North Yorkshire YO8 9GX	Erection of single storey side/rear extension	PERMITTED 21 Jan 2022	Ellis Mortimer
2021/1398/S73	LHL Group	Fir Tree Farm Landing Road Gateforth Selby North Yorkshire YO8 9LF	Section 73 application to vary condition 02 (approved drawings) of approval 2020/0411/FUL Demolition of existing farmhouse and construction of a new farmhouse, barn conversion and infilling of open barn to create office accommodation for connected agricultural business granted on 3 September 2020	PERMITTED 7 Feb 2022	Elizabeth Maw
2021/1401/TPO	Mr David Rawlins	Oak Tree House Main Street Riccall Selby North Yorkshire YO19 6PZ	Application for consent to remove deadwood and lower epicormics above footpath and driveway from 1No Oak tree (T1), remove deadwood from 1No Sycamore tree (T2), 1No Oak tree (T3) and 1No Beech tree (T4) covered by TPO 2/2003	PERMITTED 2 Feb 2022	Linda Drake
2021/1406/OUT	Miss C Scott	3 Hollyhocks Lane Barkston Ash Tadcaster North Yorkshire LS24 9TT	Outline application (with all matters reserved) for a residential dwelling within garden to rear of existing residential property	REFUSED 18 Jan 2022	Irma Sinkeviciene

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1410/HPA	Jackie Wright	3 Mill Lane Riccall Selby North Yorkshire YO19 6QY	Part single storey part two storey extension to southern and western elevations	PERMITTED 1 Feb 2022	Bethany Harrison
2021/1419/HPA	Mr Andrew Wilson	2 Ravenscroft Close Back Lane Bilbrough Selby North Yorkshire YO23 3PL	Demolition of existing porch and erection of a replacement porch	PERMITTED 18 Jan 2022	Bethany Harrison
2021/1423/FUL	Cawood Cricket Club	Cawood Sports Field Maypole Gardens Cawood Selby North Yorkshire	Removal of a former score box with storage and replacement with a storage shed for associated sports equipment	PERMITTED 4 Feb 2022	Jac Cruickshank
2021/1426/HPA	Mr Stuart Walsh	9 Kingston Drive Hambleton Selby North Yorkshire YO8 9JS	Single storey rear extension following removal of existing conservatory	PERMITTED 2 Feb 2022	Ellis Mortimer
2021/1430/HPA	Martin Cook	61 The Haven Selby North Yorkshire YO8 8BJ	Conversion of garage into a bedroom (retrospective)	REFUSED 14 Jan 2022	Jac Cruickshank
2021/1434/HPA	Richard Parnaby	14 Tomlinson Way Sherburn In Elmet North Yorkshire LS25 6EQ	Erection of two storey side extension	PERMITTED 18 Jan 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1435/TCA	Mrs Blythe	Stable Cottage Main Street Thorganby Selby North Yorkshire YO19 6DA	Application for consent to reduce by 2-2.5m to 1no Magnolia tree (T1) within the conservation area	PERMITTED 16 Dec 2021	Jac Cruickshank
2021/1438/TCA	Mr Graham Todd	6 Rose Lea The Square Hillam Selby North Yorkshire LS25 5HE	Crown reduction by 10% to 1 No Beech tree in the conservation area	PERMITTED 13 Jan 2022	Ellis Mortimer
2021/1440/HPA	Mrs Kathleen Walton	Beech Tree Cottage Doncaster Road Whitley Selby North Yorkshire DN14 0HY	Erection of a 1.2-1.5 metres high front boundary wall (retrospective)	PERMITTED 24 Jan 2022	Ellis Mortimer
2021/1441/DOC	Mr Martin Churm	Barlow Church Brown Cow Road Barlow Selby North Yorkshire YO8 8EJ	Discharge of Condition 03 (garage colour) of approval 2021/0103/HPA Erection of single storey garage (retrospective)	CONDITION DECISION 9 Dec 2021	Elizabeth Maw
2021/1443/HPA	Mr John Broadbent	22 Bartlett Grove Sherburn In Elmet Selby North Yorkshire LS25 6FT	Loft conversion and rear single storey extension to kitchen	PERMITTED 19 Jan 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1457/S73	Mr Len Marshall	Grove Farm Sweeming Lane Little Fenton Selby North Yorkshire LS25 6HF	Section 73 application to amend condition 02 (plans) of planning approval 2019/0945/FUL Proposed conversion of single storey barn/stable block to use as a single storey dwelling granted on 12 November 2020	PERMITTED 1 Feb 2022	Mandy Cooper
2021/1459/HPA	Mr Wayne Dobson	46 Pinfold Avenue Sherburn In Elmet North Yorkshire LS25 6LA	Conversion of existing car port to form habitable rooms	PERMITTED 25 Jan 2022	Bethany Harrison
2021/1468/TCA	Mr Richard Hill	1 Lilac Oval Hillam Selby North Yorkshire LS25 5HQ	Application for consent to remove 4no Leylandii trees (G1), 1no Cherry tree (T2) and 1no Lilac tree (T3) and prune 2no Maple trees (T4 & T5) within the conservation area	PERMITTED 27 Jan 2022	Ellis Mortimer
2021/1472/TNO2	Cawood Parish Council	Cawood Sports Field Maypole Gardens Cawood Selby North Yorkshire	Five day notice to fell 1no Ash tree covered by TPO 1/1973	REFUSED 7 Dec 2021	Jac Cruickshank
2021/1475/TCA	Cawood Parish Council	Fostergate Cawood Selby North Yorkshire	Application for consent to crown lift by 2m, crown reduce by 30% and prune branch ends to 1No Silver Birch tree in the conservation area	PERMITTED 14 Jan 2022	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1476/TPO	Cawood Parish Council	Gill Green Broad Lane Cawood Selby North Yorkshire	Laterally reduce branches over footpath and prune branch ends to 1 No Red Horse Chestnut (T2), crown lift by 2m over footpath, prune branch ends only, cutting back to side branches to 1 No Red Horse Chestnut (T3), remove deadwood greater than 25 mm diameter on south east towards road sign to 1 No Red Horse Chestnut (T5) covered by TPO 1/1973 and removal of 1 No Hawthorn (G1) in the conservation area	PERMITTED 4 Feb 2022	Jac Cruickshank
2021/1482/MAN2	Glam Living Limited	Land south of Common Lane Church Fenton Tadcaster North Yorkshire	Non material amendment of 2020/0904/S73 Section 73 to vary conditions 01, 04, 05 and 11 of planning permission 2019/0746/REM Reserved matters application including appearance, landscaping, layout and scale of approval 2016/0457/OUT Outline application for the erection of 9 dwellings including access to serve the new development from Bridge Close and realignment access serving Church Fenton Hall granted on 03.06.2020	REFUSED 25 Jan 2022	Yvonne Naylor
2021/1483/DOC	RBLC Rusholme Limited	Rusholme Hall Farm Rusholme Lane Newland Selby North Yorkshire YO8 8PW	Discharge of conditions 05 (contamination), 06 (contamination) and 07 (contamination) of planning permission 2020/1174/ATD Prior notification for the change of use of agricultural buildings to 5 dwellinghouses (Use Class C3) and for building operations reasonably necessary for the conversion	CONDITION DECISION 4 Jan 2022	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1486/TPO	Ms Susan Chisholm	3 Green Lane Selby North Yorkshire YO8 9AN	Crown lift to 5 metres, crown thin and reduce by 2 metres to 1 No Copper Beech tree covered by TPO 8/2003	SPLIT DECISION FOR TREES 4 Feb 2022	Jac Cruickshank
2021/1489/DOC	Orion Homes Ltd	23 Ryther Road Cawood Selby North Yorkshire YO8 3TR	Discharge of conditions 8 (floor levels) 15 (energy) and 16 (archaeology) of planning permission 2017/0177/FULM Proposed residential development of 0.78 Ha to provide 23 no. dwellings with ancillary infrastructure, access road, parking spaces and garages	CONDITION DECISION 31 Jan 2022	Kelly Sweeney
2021/1491/DOC	Mr Sean Duggan	1 School House Bungalow Church Hill Stillingfleet Selby North Yorkshire YO19 6SA	Discharge of Condition 04 (rooflights) of approval 2021/0105/HPA Demolition of existing rear extensions, formation of new two storey and single storey rear extension, creation of new first floor with dormer windows, creation of new vehicular access and removal of paint from brickwork	CONDITION DECISION 7 Jan 2022	Jac Cruickshank
2021/1493/DOC	Network Rail (Infrastructure) Ltd.	Level Crossing o Cow Lane Womersley Selby North Yorkshire	Discharge of condition 04 (ground contamination) and 05 (ground remediation) of approval 2018/0742/FULM Proposed new access road to serve existing agricultural fields on the north-eastern side of the railway line together with the formation of a turning head adjacent to Cow Lane to allow the removal of vehicular crossing rights over Post Office Lane Level Crossing	CONDITION DECISION 4 Jan 2022	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1494/TCA	Mr Jane Booth	The Old Church House Main Street Appleton Roebuck Selby North Yorkshire YO23 7DG	Application for consent to remove 1no Spruce tree (T1) within the conservation area	PERMITTED 26 Jan 2022	Bethany Harrison
2021/1500/TPO	Francesca Whitbread	The Croft Stewart Lane Stillingfleet Selby North Yorkshire	Application for consent to fell 2No Oak trees (T1 & T2) covered by TPO 8/2002	REFUSED 4 Feb 2022	Jac Cruickshank
2021/1510/MAN2	Mr Damian Green	Oakdene Moor Lane Catterton Tadcaster North Yorkshire LS24 8DH	Non material amendment of 2021/0571/HPA Erection of single storey side and rear extensions, and conversion of existing double garage to provide additional living accommodation ancillary to the main dwelling and linked covered carport and store	PERMITTED 13 Jan 2022	Mandy Cooper
2021/1511/DOC	Countryside Properties (UK) Ltd	N S D S Centre Field Lane Thorpe Willoughby Selby North Yorkshire	Discharge of condition 14 (remediation strategy) of planning permission 2013/1041/OUT Outline application with all matters reserved for a residential development following the demolition of the existing buildings within the site	CONDITIONS NOT DISCHARGED 1 Feb 2022	Hannah Blackburn
2021/1539/DOC	Mr Richard Walker	May Villa Selby Road Eggborough Selby North Yorkshire	Discharge of conditions 05 and 06 (contamination) of planning permission 2016/1469/FUL	CONDITION DECISION 1 Feb 2022	Hannah Blackburn

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0037/MAN2	Mr Richard Atkinson	Yew Tree House Main Street Kelfield Selby North Yorkshire YO19 6RG	Non material amendment of 2017/0701/OUT Outline application for demolition of garage, farm buildings and glasshouse and erection of residential development (all matters reserved)	PERMITTED 13 Jan 2022	Gareth Stent
2022/0045/SCN	Department for Transport	Rose Lane Church Fenton Tadcaster North Yorkshire	Screening assessment for proposed Rose Lane level crossing closure	RESPONSE/C OMMENTS SENT 3 Feb 2022	Irma Sinkeviciene
2022/0051/TELB	BT Openreach	Hull Road Cliffe Selby North Yorkshire	Installation of 1No 9m light pole	TELECOMMU NICATIONS - NOT REQUIRED 26 Jan 2022	Jac Cruickshank
2022/0053/TNO2	Mr Keith Carlin	1 Beech Grove Camblesforth Selby North Yorkshire YO8 8HU	Five day notice to fell 1 No Beech tree protected by TPO 1/1971	PERMITTED 21 Jan 2022	Jac Cruickshank
2022/0059/TNO2	Mr James Oxley	The Old Vinery 56 Back Lane Bilbrough Selby North Yorkshire YO23 3PL	Five day notice to fell 1 No Ash tree	PERMITTED 20 Jan 2022	Bethany Harrison

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.



DISTRICT COUNCIL

Tel: 01757 705101
www.selby.gov.uk

Planning Committee 2021-22



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



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



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



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



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

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Don Mackay (SI&YP)
Tadcaster
01937 835776
dbain-mackay@selby.gov.uk



Charles Richardson (C)
Carlton & Camblesforth
crichardson@selby.gov.uk



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



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

Substitute Councillors



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



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



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



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



Georgina Ashton (C)
Byram and Brotherton
07795 071741
gashton@selby.gov.uk



John McCartney (SI&YP)
Whitley
01977 625558
jmccartney@selby.gov.uk



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



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



John Duggan (L)
Riccall
jduggan@selby.gov.uk

(C) – Conservative (L) – Labour (SI&YP) – Selby Independents and Yorkshire Party Group