



Meeting: **PLANNING COMMITTEE**  
Date: **WEDNESDAY, 17 AUGUST 2022**  
Time: **2.00 PM**  
Venue: **COUNCIL CHAMBER - CIVIC CENTRE, DONCASTER ROAD, SELBY, YO8 9FT**  
To: **Councillors M Topping (Chairman), C Richardson (Vice-Chair), I Chilvers, K Ellis, G Ashton, R Packham, P Welch, J Duggan and D Mackay**

## 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](http://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 6 July 2022.

5. **Planning Applications Received (Pages 17 - 18)**
- 5.1. **2022/0381/COU - Braemar, Weeland Road, Eggborough, Selby (Pages 19 - 30)**
  - 5.2. **2021/1298/FUL - Bridge View, Hirst Road, Carlton (Pages 31 - 50)**
  - 5.3. **2021/1360/FUL - Old Pasture Park, York Road, Stillingfleet (Pages 51 - 66)**
  - 5.4. **2021/0868/FUL - Oakwood Barns, Main Street, Healaugh (Pages 67 - 86)**

*Janet Waggott*

**Janet Waggott, Chief Executive**

<p><b>Dates of next meetings (2.00pm)</b> Wednesday, 7 September 2022</p>
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Enquiries relating to this agenda, please contact Democratic Services on [democraticservices@selby.gov.uk](mailto:democraticservices@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 Democratic Services on the above details prior to the start of the meeting. Any recording must be conducted openly and not in secret.

# Agenda Item 4



## Minutes

### Planning Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Wednesday, 6 July 2022
Time:	2.00 pm
Present:	Councillor M Topping in the Chair  Councillors C Richardson (Vice-Chair), I Chilvers, K Ellis, G Ashton, P Welch, J Duggan and D Mackay
Officers Present:	Martin Grainger – Head of Planning, Hannah Blackburn – Planning Development Manager, Glenn Sharpe – Solicitor, Gareth Stent – Principal Planning Officer, Jenny Tyreman – Assistant Principal Planning Officer, Emma Howson – Senior Planning Officer, Bethany Harrison – Planning Officer, Josh Turner – Planning Officer
Public:	12

#### **6 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor R Packham.

Councillor K Franks was in attendance as a substitute Councillor R Packham.

#### **7 DISCLOSURES OF INTEREST**

Councillor M Topping declared a personal non-pecuniary interest in agenda item 2021/0788/EIA – Land North and South of Camela Lane, Camblesforth. As a result, Councillor Topping confirmed that he would leave the meeting during consideration thereof. The Committee's Vice Chair, Councillor C Richardson, would Chair the meeting in his absence for the duration of the item.

#### **8 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.

The Chair informed the Committee that as he would be stepping down as Chair for agenda item 5.2 – Land North and South of Camela Lane, Camblesforth, the order of the agenda had been amended so that the item in question was taken last.

## **9 MINUTES**

The Committee considered the minutes of the Planning Committee meeting held on 1 June 2022.

### **RESOLVED:**

**To approve the minutes of the Planning Committee meeting held on 1 June 2022 for signing by the Chairman.**

## **10 PLANNING APPLICATIONS RECEIVED**

The Planning Committee considered the following planning applications.

### **10.1 2022/0188/FUL - LAND OFF MAIN STREET, SKIPWITH**

**Application:** 2022/0188/FUL

**Location:** Land off Main Street, Skipwith

**Proposal:** Change of use of land from agricultural to wildflower meadow with new perimeter timber fence to 2 No sides with double gates, new pedestrian access and 3 No new rustic timber benches

The Planning Development Manager informed Members that a request had been received from the applicant, Skipwith Parish Council, for the Planning Committee to defer consideration of the application following a late representation from the landowner and to allow time for further discussion between the applicant and landowner. Officers supported the request.

Members agreed with the Officers recommendation to defer the application.

It was proposed, seconded and a vote was taken and was carried to DEFER consideration of the application.

### **RESOLVED:**

**That consideration of the application be DEFERRED.**

## 10.2 2020/1042/FULM - POLICE STATION BROWNFIELD SITE, PORTHOLME ROAD, SELBY

**Application:**2020/1042/FULM

**Location:** Police Station Brownfield Site, Portholme Road, Selby

**Proposal:** Demolition and construction of a Class E foodstore, together with car parking, landscaping and associated works

The Principal Planning Officer presented the application which had been brought before Planning Committee as the application was previously presented to the committee on 1 June 2022 and deferred for further discussions to take place with the NYCC Highways Authority, relating to the mitigation of expected traffic difficulties caused by the development. In particular:

1. The acceptability of the access/ egress given the proximity of two other supermarkets;
2. Additional traffic on the localised network and;
3. A better understanding of the 'Selby Places and Movement Study' in particular what NYCC plan to do to improve the local highway network and its timings.

The report had been updated to reflect the Officer Update Notes from the meeting on 1 June 2022. The highway section had been amended to reflect post deferral discussions with NYCC Highways regarding the impact of the traffic generated by the proposals, the need for the financial contribution and the movement study.

The application has been brought before Planning Committee as part of the site i.e., the north-eastern corner (0.04 ha) was still owned by Selby District Council and included some existing trees and redundant gas governor. The sale was agreed to Aldi in June 2021; however, its completion was subject to planning permission being obtained. Hence, the Council were still landowners. This therefore did not comply with Council's Constitution (3.8.9 b (ix)), which did not allow applications on Council owned land to be determined under delegated powers, unless they were minor applications and no objections had been received. The application had received objections and was not minor in nature.

Members noted that the application was for it was for the demolition and construction of a Class E foodstore, together with car parking, landscaping and associated works.

Gareth Roberts, Senior Transport and Development Engineers from North Yorkshire County Council Highways was in attendance at the meeting.

The Committee considered the Officer Update Note which set out two additional letters of support and an applicants update from the Highways Engineer.

The Committee asked numerous questions of the Officer relating to consultation of disability groups, the legal repercussions if the recommendations of the Highways Officer were not taken into account, if pedestrian safety would be included in any future Access and Movement study, the possibility of a routing agreement for HGVs and the option of traffic being directed a particular way to the supermarket.

The NYCC Highways Officer explained that all highway designs were considered with regards to street and disabled access guidance as well as pedestrian access. Members were advised that a routing agreement for HGVs had not been considered considering arrangements at other supermarkets in the locality, and that directing traffic a particular way to the supermarket would be unmanageable, unenforceable and unreasonable.

The Solicitor explained that for the Committee go against the recommendations of the Highways Officer was one that members were entitled to reach.

Andrew Moseley, agent, spoke in support of the application.

Members debated the application further and agreed that the committee's concerns expressed at the previous meeting had been addressed by Officers and as such they were minded to support the application.

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 set out in the report.**

**10.3 2022/0381/COU - BRAEMAR, WEELAND ROAD, EGGBOROUGH**

**Application:** 2022/0381/COU

**Location:** Braemar, Weeland Road, Eggborough

**Proposal:** Change of use from C3 to C2 to be a Children's home for 4 Children ages 8 – 18

The Senior Planning Officer presented the application which had been brought before Planning Committee due to 3.8.9(b)(vi) as more than 10 letters of representation had been received which raised material planning considerations and Officers were recommending approval contrary to these representations.

Members noted that the application was for the change of use from C3 to C2 to be a Children's home for 4 Children ages 8 – 18.

The Committee considered the Officer Update Note which set out additional consultation responses and representations.

The Committee asked numerous questions of the Officer relating to the types of care that could be provided in a C2 category home, provision of parking and potential traffic concerns.

Officers confirmed that Use Class C2 related to residential institutions to accommodate those in need of care and included children's homes such as the one proposed in the application. With regards to parking, three spaces would be provided, two of which would be for care staff and a minibus; any other parking would be on-street. Officers were not aware of the previous occupiers of the house having raised issues regarding traffic.

Colin White, Eggborough Parish Council, spoke against the application.

Leanne Smith, applicant, spoke in support of the application.

Members debated the application further, with some expressing concerns about the provision of parking spaces, management of the scheme, the potential need

for more parking and issues that could be caused by vehicles being left on the road and verge outside the property. It was suggested that deferral and a site visit may be appropriate.

Other Members were of the view that, having studied the pictures in the Officer's presentation to the Committee, parking would not be an issue, management of the scheme was not relevant to the planning aspects of the application and that a site visit would not be necessary.

It was proposed and seconded that the application be DEFERRED for a site visit; a vote was taken and was carried.

**RESOLVED:**

**That the application be DEFERRED in order for a site visit to be arranged.**

**10.4 2022/0455/HPA - FIELD VIEW, WISTOW ROAD, SELBY**

**Application:** 2022/0455/HPA

**Location:** Field View, Wistow Road, Selby

**Proposal:** Siting of a static caravan for purposes ancillary to the main dwellinghouse

The Planning Officer presented the application which had been brought before Planning Committee by the Head of Planning and Interim Head of Regulatory Services. It was a re-submission of application ref: 2021/0518/HPA which had been the subject of a recently dismissed appeal.

Members noted that the application was for the siting of a static caravan for purposes ancillary to the main dwellinghouse.

The Committee considered the Officer Update Note which set out some amendments to the report and details of three additional neighbour letters that had been received since the completion of the report.

The Committee asked numerous questions of the Officer about action to be taken should the caravan be used permanently in the future, flood risk, clarification as to when the caravan first appeared on the site, the definition of ancillary usage, clarification of development limits, the proposed colour finish, previous reasons for refusal and the caravan's hardstanding.

Officers confirmed that should the caravan be used as



independent accommodation not in accordance with a planning decision, any enforcement after local government reorganisation would fall to the new North Yorkshire Council. The painting of the caravan had been proposed to reduce its visibility. The caravan had appeared on the site in 2019 but an exact date could not be ascertained.

Officers explained that the flood risk to the caravan was the same as that which applied to the main dwelling, and that 'ancillary' meant that the premises could not be occupied separately and was therefore required to be used by members of the same household.

Members noted the Officer's clarification of the development limits on the site; the application site itself was within the limits. The current application for the siting of the caravan included the colour finish which improved the visual impact and made it less dominant in the landscape. Members were shown a picture of the caravan in its current location and colour.

Alan Cross, objector, spoke against the application.

Members debated the application further and felt that the caravan created an unsuitable gateway into the settlement and was a separate dwelling to the main accommodation, not ancillary.

However, some Members supported the Officer's recommendation to grant permission.

It was proposed and seconded that the application be REFUSED on the grounds of harm to the character of the area and that the reasons for refusal be refined by and delegated to the Chair and Vice Chair of the Committee in consultation with the Head of Planning; a vote was taken and was carried.

**RESOLVED:**

**That the application be REFUSED on the grounds of harm to character of the area and that the reasons for refusal be refined by and delegated to the Chair and Vice Chair of the Committee in consultation with the Head of Planning.**

## 10.5 TPO 3/2022 - PIGEON POST, MAIN STREET, BILBROUGH

**Application:** TPO 3/2022

**Location:** Pigeon Post, Main Street, Bilborough

**Proposal:** Confirmation of Provision TPO Reference 03/2022 relating to 1(no) Eucalyptus

The application to be considered by the Planning Committee was an exercise of the powers conferred by Section 198 of the Town and Country Planning Act 1990. The report sought the permission of the Planning Committee to "Confirm, with no Modification", Tree Preservation Order No. 3/2022 to which objections had been received. In accordance with 3.8.9 (b) (viii) of the scheme of delegation, the confirmation of the Tree Preservation Order could not be issued under delegated powers where it was subject to a valid objection.

Members noted that the application was for the confirmation of provision TPO reference 03/2022 relating to 1(no) Eucalyptus.

The Committee considered the Officer Update Note which set out details of two additional letters of representation that had been received.

The Committee asked numerous questions of the Officer relating to the value of the tree and its siting in a conservation area, whether the tree blocked light for the property's residents and potential works to reduce its height. Officers explained that as an authority the Council could either support the proposed works to the tree or place a TPO on it if it had amenity value. Officers made the point that the tree caused shade to the gardens, as do many trees within gardens and questioned whether this was grounds to fell them.

The photograph included in the presentation was taken in 2012 and as such the size of the tree had increased since then; this would mean that its loss would have more of an impact on the amenity of the conservation area.

The Democratic Services Officer read out a representation submitted on behalf of the applicants, Mr and Mrs Lewis, who had asked that it be read out to the Committee.

Members debated the application further with some of

the opinion that the tree in question did not require protection and would not affect the local amenity should it be felled. However, some committee Members were concerned that the felling of such a mature tree would put more pressure on native stock.

It was proposed that the confirmation of TPO 3/2022 be REFUSED; the proposal was not seconded and therefore fell.

It was proposed and seconded that the confirmation of TPO 3/2022 be CONFIRMED; a vote was taken and was carried.

**RESOLVED:**

**To authorise the confirmation of Tree Preservation Order 3/2022 to protect 1 (no) Eucalyptus at Pigeon Post, Main Street, Bilbrough, Selby, North Yorkshire, YO23 3PH.**

**10.6 HUMBER LOW CARBON PIPELINES - NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT**

The Planning Committee received the report which had been brought before them for information purposes. The report recommended that the contents be noted, and that authorisation be sought from the Executive to authorise the Head of Planning and Interim Head of Regulatory Services, 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.

Members noted that the report set out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these were dealt with. The Planning Committee had considered similar NSIP reports in respect of the Drax Bioenergy and Carbon Capture Project in April 2021 and the Yorkshire GREEN Project in February 2022. Applicants for infrastructure projects were required to make an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO). The final decision was made by the Secretary of State on the recommendation of PINS, but Local Planning Authorities were statutory consultees in the process.

Officers explained that National Grid Carbon Limited (part of National Grid Ventures) was proposing to submit an application for a DCO for the construction of dual pipelines to transport carbon dioxide (to facilitate carbon capture, usage and storage (CCUS)) and hydrogen between Drax in North Yorkshire to a landfall point on the Holderness coast in East Riding of Yorkshire, together with associated above ground installations (AGIs); this scheme was a Nationally Significant Infrastructure Project (NSIP) to be determined by PINS. At the landfall point the project would connect to an offshore pipeline for onward transportation of carbon dioxide to the Endurance saline aquifer under the North Sea. This offshore pipeline and associated work formed part of a separate consent for which BP was the project proponent.

Members were informed that two rounds of public consultation were taking place; non-statutory consultation took place in Q3/Q4 2021; statutory consultation was anticipated to take place in Q3 2022. It was anticipated that National Grid Carbon Limited would submit their DCO application to PINS during Q3 2022.

The Committee acknowledged that once the DCO application had been submitted to PINS, they would have 28 days to decide whether or not the application met the standards required to be accepted for examination. Following acceptance, an Examining Authority would be appointed, and all Interested Parties would be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. PINS would have up to six months to carry out the examination of the proposals through a series of structured and topic-based hearings which Officers may need to attend. After the examination a decision would be made by the Secretary of State, within 6 months of the close of the examination. Following this the Council would have the responsibility to discharge any planning conditions and enforce the terms of the DCO.

**RESOLVED:**

**The Planning Committee noted the content of the report and that authorisation was to be sought from the Executive to authorise the Head of Planning and Interim Head of Regulatory Services 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.**

**10.7 2021/0788/EIA - LAND NORTH AND SOUTH OF CAMELA LANE, CAMBLESFORTH**

*Councillor Topping stepped down as Chair for the remainder of the meeting and left at this point. Councillor Richardson chaired the rest of the meeting until its end in his role as Vice Chair.*

**Application:** 2021/0788/EIA

**Location:** Land North and South of Camela Lane, Camblesforth

**Proposal:** Development of a ground-mounted solar farm including associated infrastructure

The Assistant Principal Planning Officer presented the application which had been brought before Planning Committee in accordance with 3.8.9(b)(i) as it had been accompanied by an Environmental Impact Statement.

Members noted that the application was for development of a ground-mounted solar farm including associated infrastructure.

The Committee considered the Officer Update Note which set out updated wording to Conditions 3 and 28 and confirmation that all pre-commencement conditions had been agreed by the applicant.

The Committee asked numerous questions of the Officer relating to the potential for the creation of a public right of way, proximity to archaeological sites and location of the construction compound.

Officers explained that a new public right of way was not being proposed but that there would be a permissive path on the site for the lifetime of the solar farm. North Yorkshire County Council's Archaeology Team had not expressed any concerns with regards to archaeological locations on the site. Members were shown the anticipated location of the construction compound on the map by Officers, who also referred to a proposed condition requiring a Construction Management Plan.

Ian Douglass, agent, spoke in support of the application.

Members debated the application further and were supportive of the proposals.

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 set out in the Officer Update Note and report.**

The meeting closed at 4.35 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. Only **ONE** person may register to speak for each category of speaker, per agenda item - i.e., one objector, one parish representative, one ward member

and either the applicant, agent or their representative. Registering to speak is on a 'first come, first served' basis.

9. The following speakers may address the committee for **not more than 5 minutes each in the following order**:
  - (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).**

10. 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).
11. 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.
12. 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.
13. The number of people that can access the Civic Suite will need to be safely monitored due to Covid.
14. 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.
15. 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.
16. 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.
17. The members of the committee will then debate the application, consider the recommendations and then make a decision on the application.



18. 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.
19. 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.
20. This is a council committee meeting which is open to the public.
21. 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](mailto:democraticservices@selby.gov.uk)
22. The arrangements at the meeting may be varied at the discretion of the Chairman.
23. Written representations on planning applications can also be made in advance of the meeting and submitted to [planningcomments@selby.gov.uk](mailto: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.
24. Please note that the meetings will be streamed live on YouTube and are recorded as a matter of course for future viewing.
25. These procedures are being regularly reviewed.

**Contact:** Democratic Services  
Email: [democraticservices@selby.gov.uk](mailto:democraticservices@selby.gov.uk)

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# Agenda Item 5

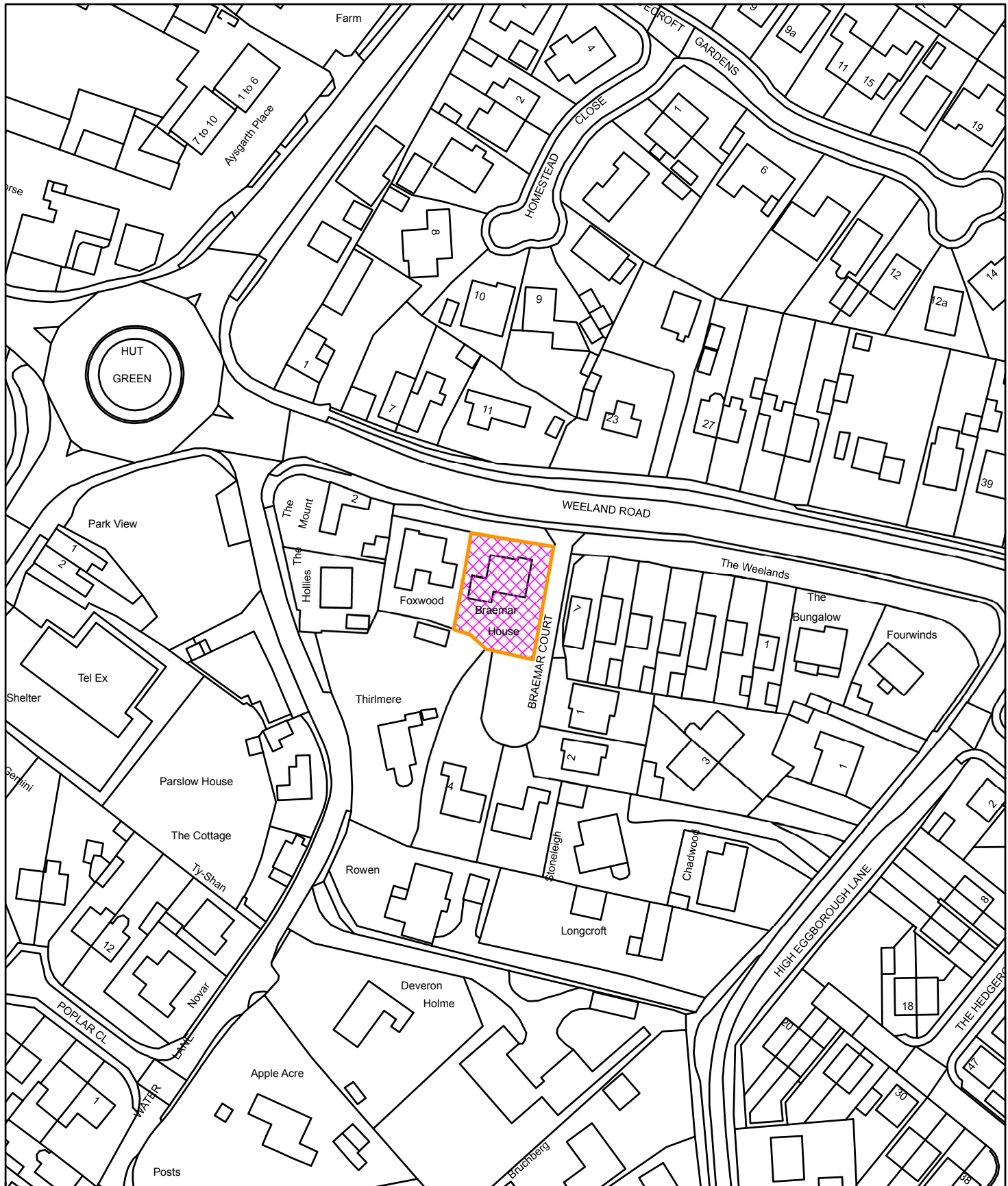
Items for Planning Committee – 17 August 2022

Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2022/0381/COU	Braemar Weeland Road Eggborough Selby	Change of use from C3 to C2 to be a Children's home for 4 Children ages 8 - 18	EMHO	19 - 30
5.2	2021/1298/FUL	Bridge View Hirst Road Carlton	Change of use involving the formation of a tourist caravan site including the siting of two park homes; the creation of a camp site; the extension of an existing amenity block; and the erection of a storage building, land at Bridge View	ELMA	31 - 50
5.3	2021/1360/FUL	Old Pasture Park York Road Stillingfleet	Change of use of land for the siting of four shepherd huts and associated works (part retrospective)	ELMA	51 - 66
5.4	2021/0868/FUL	Oakwood Barns Main Street Healagh	Conversion of agricultural building to 2 dwellings, removal of concrete hardstandings and impermeable outside storage and circulation areas, provision of car parking and landscaping	FIEL	67 - 82

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# Agenda Item 5.1

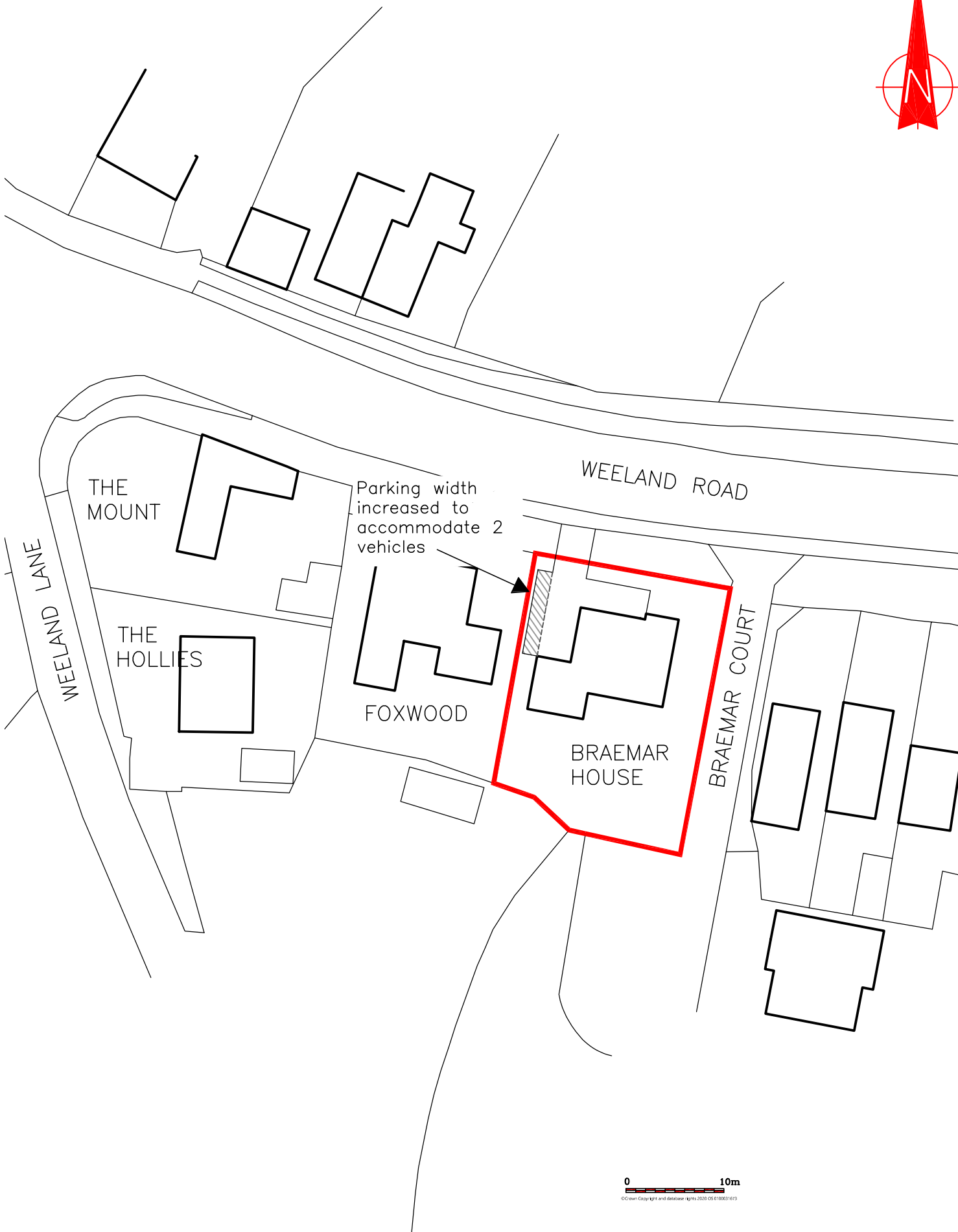
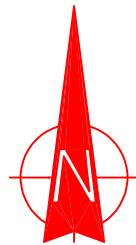
Braemar, Weeland Road, Eggborough  
2022/0381/COU



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**Ward**  
**Architecture**  
**Limited**  
Re-plan, Re-design, Re-generate

**PRELIMINARY LAYOUT**

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Do not scale. All setting out dimensions to be confirmed prior to works commencing and any discrepancies confirmed to architect. This drawing is to be read in conjunction with all other architectural and structural engineers drawings. Any queries please email [info@wardarchitectureltd.co.uk](mailto:info@wardarchitectureltd.co.uk)

BRAEMAR HOUSE, WEELAND ROAD  
EGGBOROUGH  
for DOVE ADOLESCENT SERVICES / DRBC CONSTRUCTION

PROPOSED SITE PLAN 1:500@A4

Date: 09/05/22 Job Number: **WAL-22-26-05**

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**Report Reference Number 2022/0381/COU**

**To: Planning Committee**  
**Date: 17<sup>th</sup> August 2022**  
**Author: Emma Howson (Senior Planning Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2022/0381/COU	PARISH:	Eggborough Parish Council
APPLICANT:	Dove Adolescent Services Ltd	VALID DATE: EXPIRY DATE:	10th May 2022 24 <sup>th</sup> August 2022
PROPOSAL:	Change of use from C3 to C2 to be a Children's home for 4 Children ages 8 - 18		
LOCATION:	Braemar Weeland Road Eggborough Selby North Yorkshire DN14 0PW		
RECOMMENDATION:	Grant		

This application has been brought before Planning Committee due to 3.8.9(b)(vi) of the Council's Constitution as more than 10 letters of representation have been received which raise material planning considerations and Officers are recommending approval contrary to these representations.

It was brought before committee at the meeting on 6<sup>th</sup> July 2022 and was deferred for a site visit to assess the provision of parking spaces, management of the scheme and impact of on street parking .

## **1. INTRODUCTION AND BACKGROUND**

### **Site and Context**

- 1.1 The application site comprises of an existing red brick 4-bedroomed detached dwelling, with an integral garage located on a corner plot on the junction with Weeland Road and Braemar Court.
- 1.2 Access is taken from Weeland Road and the frontage is enclosed by a low 1m wall with railings above. Double gates then enclose the driveway to the property. To the

east is a 2m wooden close boarded fence which forms the boundary to Braemar Court. The property has the benefit of a driveway and hardstanding area to the frontage and an enclosed garden to the rear.

- 1.3 The property is surrounded by other residential properties of a similar scale and design.
- 1.4 The site is located within the defined Development Limits of Eggborough.

### **The Proposal**

- 1.2 The application seeks permission to change the use of the property from a C3 use (dwellinghouse) to a C2 use (residential institution) to provide a Children's home for 4 Children between the ages of 8 and 18.

### **Relevant Planning History**

- 1.3 The following historical application are considered to be relevant to the determination of this application:
  - CO/2001/0715 - Proposed erection of two detached dwellings with attached garages Decision: PER, Date: 01-OCT-01.
  - CO/2001/1184 - Outline planning for the demolition of existing dwelling and the erection of four detached dwellings and associated access, Decision: PER, Date: 17-OCT-02.
  - CO/2002/1147 - Reserved matters application for the erection of 4 No. detached dwellings with associated garaging, access and landscaping, Decision: PER, Date: 11-MAR-03.

## **2. CONSULTATION AND PUBLICITY**

### **2.1 NYCC Highways Canal Rd**

There are no local highway authority objections to the proposed development.

### **2.2 Parish Council**

Extension requested – no comments received.

### **2.3 Designing Out Crime Officer**

A strong legislative and policy framework exists for considering Community Safety as part of the planning process. The Revised National Planning Policy Framework (England) July 2018 paragraphs 91 and 127 state that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Designing out crime and designing in community safety should be central to the planning and delivery of new development.

Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder and do all they reasonably can to prevent crime and disorder. Having liaised with the

Neighbourhood Policing Team, it should be noted that the primary concern is vulnerable children running away from home from similar facilities in the area and being at risk from 'county line' involvement or sexual exploitation. Consequently, it is recommended that there be a management plan for the premises. This should include details of how the premises will be operated and managed, conflict resolution procedures for issues that may affect the neighbourhood and a process to liaise with North Yorkshire Police Vulnerable Persons Unit and Selby District Councils Children's Services so that appropriate child protection measures are in place for the children housed in the premises.

This recommendation may not be deemed to be a material consideration from a planning perspective. However, it would be argued that it can have a positive impact upon the amenity of the immediate neighbours to this proposal and safeguard the children placed at the premises.

It is requested that should this application be granted, that a Crime and Safety Planning Condition be placed on it stating that, prior to the premises coming into use, the applicant is required to provide a comprehensive Management and Safeguarding Plan. These measures should be agreed in writing by the Local Authority in consultation with North Yorkshire Police and Selby District Council Children's Services.

This will fulfil paragraphs 91 and 127 of the National Planning Policy Framework and also enable the Authority to discharge its functions in accordance with Section 17 of the Crime & Disorder Act 1998. It is recognised that pre-commencement planning conditions should only be imposed where necessary, relevant to planning and reasonable. For this proposal it is considered necessary to impose a Crime and Safety Planning Condition for the amenity of the neighbours to the premises and for safeguarding the children to be housed there.

## **2.4 Publicity**

The application has been advertised by site notice and 23 representations have been received, raising objections on the following grounds:

- Insufficient parking and highway safety
- Increase in crime and anti-social behaviour
- Decrease in house values (not a material planning consideration)
- Impact on residential amenity
- Noise
- Lack of a business plan in place

## **3. SITE CONSTRAINTS**

### **Constraints**

- 3.1 The application site is located within defined Development Limits of Eggborough and in Flood Zone 1 (low probability).

## **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
  - SP2 – Spatial Development Strategy
  - SP15 – Sustainable Development and Climate Change
  - SP18 – Protecting and Enhancing the Environment

### **Selby District Local Plan**

- 4.7 The relevant Selby District Local Plan Policies are:
- ENV1 – Control of Development
  - T1 – Development in relation to the Highway Network
  - T2 – Access to Roads

### **National Planning Policy Framework**

- 4.8 The relevant sections of the NPPF are:

- 2 – Achieving sustainable development
- 8 – Promoting healthy and safe communities
- 15 – Conserving and enhancing the natural environment

## **5. APPRAISAL**

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

- Principle of Development
- Impact on Character and Appearance of the Area
- Impact on Residential Amenity
- Impact on Highway Safety

### **Principle of Development**

- 5.2 Saved Policy SP1 of the Core Strategy outlines that “when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework” and sets out how this will be undertaken. Policy SP1 is therefore consistent with the guidance in Paragraph 11 of the NPPF.
- 5.3 The application site is located within defined development limits of Eggborough and comprises of an existing residential dwelling (C3). The use proposed is for a children’s home (a residential institution) (C2) which still falls within the residential uses set out in The Town and Country Planning (Use Classes) Order 1987 (as amended).
- 5.4 There are no policies within the Development Plan or NPPF to identify this form of development as being unacceptable in principle in this location subject to no other material planning consideration outweighing the benefits of the proposal.

### **Impact on Character and Appearance of the Area**

- 5.5 Section 12 of the NPPF sets out the need for ‘the creation of high quality’ places and that ‘good design is a key aspect of sustainable development’. Paragraph 130 sets out how planning applications should be considered in relation to their impact on the local environment.
- 5.6 This is addressed through Policies ENV1(1), (4) and (5) of the Selby District Local Plan, and Policies SP18 and SP19 of the Core Strategy.
- 5.7 The proposal does not involve any external alterations to the existing dwelling, however it includes a widening of the driveway to provide sufficient off street parking. The proposal is not considered to have a significant visual impact on the overall appearance of the area.
- 5.8 Concerns have been raised by residents that the use proposed, will have a negative impact on the character of the area and would lead to a devaluation of local properties. Impact on property values is not a material planning consideration and thus cannot form a reason to refuse an application. In terms of the character, the use of the property will continue to operate very much like a C3 dwelling, with children and shift workers coming and going to the property similar to that of a family dwelling.

- 5.9 Concerns have been raised with regards to potential for crime and anti-social behaviour. Paragraph 92 (b) of the NPPF states that development should be 'safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion' whilst Paragraph 92 (a) also states that it should 'promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other'.
- 5.10 The Police – Designing Out Crime Officer has been consulted on the application and whilst it is acknowledged that this type of development has the potential to cause anti-social behavior concerns this can be avoided by a suitable management scheme. The Designing Out Crime officer recommends a condition requiring 'that, prior to the premises coming into use, the applicant is required to provide a comprehensive Management and Safeguarding Plan'.
- 5.11 It is considered that on the basis that a suitable management and safeguarding plan can be agreed (between the operators, Police and the Council), that the impact on the overall character of the area through potential anti-social behaviour can be limited and thus the proposal would not have a significantly adverse impact on the character and appearance of the local area and would comply with SDLP Policy ENV1, Core Strategy Policies SP18 and SP19 and the NPPF.

#### **Impact on Residential Amenity**

- 5.12 Saved Policy ENV1(1) of the Selby Local Plan requires development to take account of the effect on the amenity of adjoining occupiers.
- 5.13 The proposal is for the property to operate as a children's home for no more than 4 children between the ages of 8 and 18 and the necessary carers to ensure that these children are supported and cared for. The proposal is to operate in a manner similar to a C3 dwelling, except that the residents do not live as a 'single household' which is a requirement for the property to be a C3 use.
- 5.14 It is not considered that the proposal would have an excessive level of noise associated with the use, and any noise issues can be dealt with under Environmental Protection Legislation.
- 5.15 There will be 'comings and goings' from the property in terms of the arrival and departure of carers to the property, however the planning statement identifies the need for two carers to be present during the day and two during the evening. This level of 'comings and goings' is consistent with the normal operation of a dwelling as would be the level of visitors to the property.
- 5.16 It is therefore considered that subject to a suitable management plan as set out above that the proposal would not have a significant adverse impact on residential amenity and would accord with SDLP Policy ENV1 and the NPPF.

#### **Impact on Highway Safety**

- 5.17 Policies ENV1(2) and saved policy T2 of the Local Plan requires development to ensure that there is no detrimental impact on the existing highway network. Paragraph 110 of the NPPF seeks a safe and suitable access and only supports refusal of development on highway grounds if there would be unacceptable impacts on highway safety.

- 5.18 The proposal utilises an existing vehicular access and the submitted plans show that at least three vehicles including a vehicle to be used by staff to transport the children can be parked within the site, following the widening of the driveway.
- 5.19 Concerns have been raised by residents that there would be insufficient parking arrangements within the site leading to on street parking on the private road.
- 5.20 NYCC Highways Authority have been consulted on the proposal and raise no concerns. It is considered expedient to attach a condition requiring the parking to be provided prior to the first use of the property.
- 5.21 As such, it is considered that the proposal would not have unacceptable impacts on highway safety and complies with national and local planning policies.

## **6. CONCLUSION**

- 6.1 The application seeks permission to change the use of the existing domestic property to provide a Children's home for up to 4 children and for the care staff required to provide support to the children within the home.
- 6.2 Subject to relevant conditions it is considered that the proposal would not create a significant adverse impact on the character or appearance of the area, residential amenity or highway safety and thus would accord with Policies ENV1, T1 and T2 of the Selby District Local Plan, Policies SP1, SP2, SP18 and SP19 of the Core Strategy and the NPPF and as such is recommended accordingly.

## **7. RECOMMENDATION**

This application is recommended to be GRANTED subject to conditions:

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

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

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

Proposed Site Plan – WAL-22-26-05  
Proposed Building Plan – WAL-22-26-03  
Braemer House Parking

Reason: For the avoidance of doubt.

3. Prior to the first use of the premises for a C2 use as hereby permitted, a comprehensive Management and Safeguarding Plan shall be provided to the Local Planning Authority for approval. This should include details of how the premises will be operated and managed, conflict resolution procedures for issues that may affect the neighbourhood and a process to liaise with North Yorkshire Police Vulnerable Persons Unit and Selby District Councils Children's Services so that appropriate child protection measures are in place for the children housed in the premises.

Reason: In the interests of residential amenity and to accord with Policy ENV1 of the Local Plan and the NPPF.

4. Prior to the first use of the premises for a C2 use as hereby permitted, the parking areas shall be laid out in accordance with the approved plans and shall be made available for residents and visitors at all times, for the lifetime of the development.

Reason: In the interests of residential amenity and to accord with Policy ENV1 of the Local Plan and the NPPF.

## **8. Legal Issues**

### **8.1 Planning Acts**

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

### **8.2 Human Rights Act 1998**

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

### **8.3 Equality Act 2010**

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

## **9. Financial Issues**

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

## **10. Background Documents**

**Planning Application file reference 2022/0381/COU and associated documents.**

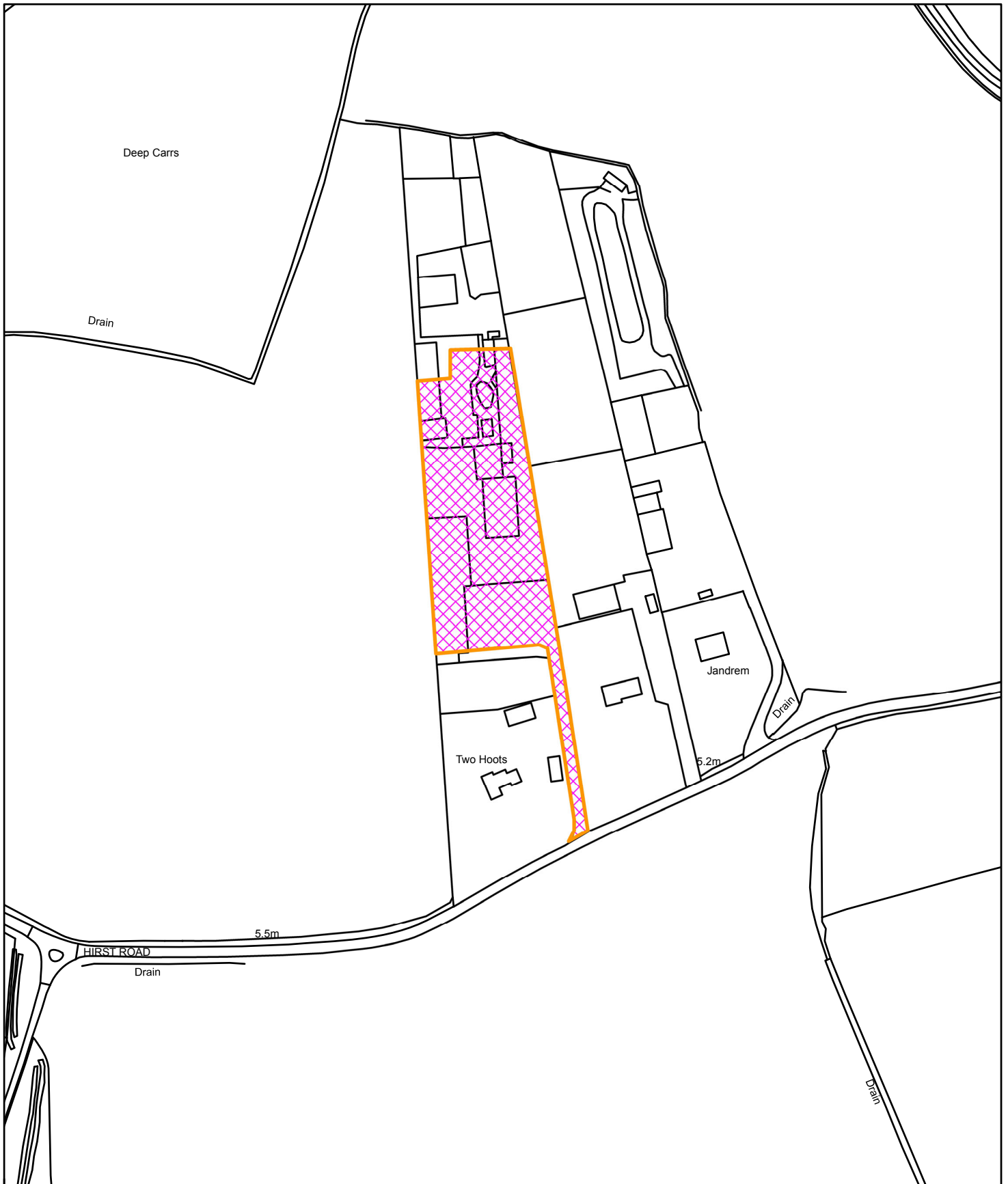
**Contact Officer: Emma Howson (Senior Planning Officer)**

**Appendices: None**



# Agenda Item 5.2

Bridge View, Hirst Road, Carlton  
2021/1298/FUL



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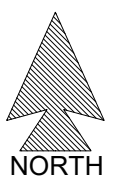


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**Note**  
 This plan shows an indicative layout.  
 The final layout will be confined  
 within the area defined but may  
 utilise alternative pitch sizes and  
 layout to suit market forces and  
 demand as the business develops.



**Mr A Mann**  
 Bank End Lodge West Bank Carlton DN14 9PX  
 Indicative Layout scales 1:500 16/12/2021 drwg. no.2099-01-04

*Chris Finn Architect*

BOWLING GREEN HOUSE  
 38 RYTHERGATE  
 CAWOOD SELBY YO8 3TP  
 TEL: 01757 268650

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**Report Reference Number 2021/1298/FUL**

**To: Planning Committee**  
**Date: 17<sup>th</sup> August 2022**  
**Author: Elizabeth Maw (Senior Planning Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2021/1298/FUL	PARISH:	Carlton Parish Council
APPLICANT:	Mr Anthony Mann	VALID DATE:	3rd November 2021
		EXPIRY DATE:	28 <sup>th</sup> February 2022
PROPOSAL:	Change of use involving the formation of a tourist caravan site including the siting of two park homes; the creation of a camp site; the extension of an existing amenity block; and the erection of a storage building, land at Bridge View		
LOCATION:	Bridge View Hirst Road Carlton Selby North Yorkshire DN14 9PX		
RECOMMENDATION:	GRANTED subject to conditions and that no objections are received following expiry of the publicity period.		

This application has been brought before the Planning Committee by virtue of 3.8.9(b)(iii) of the Council's Constitution as the proposal is contrary to the requirements of the development plan (namely Criterion 1 of Policy RT11 of the Selby District Local Plan), but it is considered that there are material considerations (more up to date policy) which would justify approval of the application.

## **1. INTRODUCTION AND BACKGROUND**

### **Site and Context**

- 1.1 The application site relates to land behind a residential property located to the northern side of Hirst Road, known as Bridge View. The site is outside development limits and designated as countryside. The house, Bridge View, was granted consent in 1988 and is restricted by an agricultural occupancy condition.

- 1.2 The house and the land behind it were originally used in connection with a market garden then later, a garden centre. Infrastructure associated with that former use has now been mostly cleared but there are still two outbuildings and an area of hardstanding on the land. Other areas on the site are grassed and remain clear of any buildings. The site is well concealed from surrounding land by mature, established landscaping on the boundaries. A further property sits to the north of Bridge View, known as Bankend Lodge, and provides tourist accommodation.
- 1.3 The property is in a rural location and has open land to the west and north. To the east are two residential properties. These two properties also benefit from a large plot of land behind their house and both properties have put the land behind their house to a commercial use. According to planning history and an internet search, the adjacent neighbour (Norden Alpine Nursey) has used the land for horticulture / nursery, and it is also registered with the caravan and camping club for touring caravans. Google Earth supports these findings. The land behind the house further east (Jandrem) is in use as a commercial enterprise as a car dealer, bodyshop and MOT service centre.

### **The Proposal**

- 1.4 This application is to use the land behind the dwelling as a camp site for 15 pitches plus the siting of two park homes for holiday lets. The scheme also proposes the extension of an existing amenity block for showers and toilets, and a storage building. The site is intending to be managed by the applicant who lives in the house at the front of the application site.
- 1.5 The land proposed to be used for the camp site is edged red on the location plan and falls within Flood Zone 1 which is of a low risk of flooding. The land edged blue is excluded from the application because it is vulnerable to flooding, falling within flood zones 2 and 3. The owner advises the land outlined blue will be left grassed/vacant but may be used for camp site visitors as an amenity space to walk their dogs or children playing.
- 1.6 The application has been publicised by site notice and no observations were received. Given that the proposal is contrary to RT11 of the Local Plan, it is a departure from the Development Plan and was required to be re-advertised accordingly before issuing of the decision. The second advertisement period will expire on 5<sup>th</sup> August. At the time of writing the report, no objections have been received. An update on the outcome of the second publicity will be given at the committee meeting.

### **Relevant Planning History**

- 1.7 The relevant site history is:
- Application Number: CO/1983/13392/ AltRef: 8/29/116/PA - Establishment Of Market Garden to Include Glass House & Shed. Granted: 24-MAR-83
  - Application Number: CO/1988/0879/AltRef: 8/29/116D/PA - Erection of glasshouses to expand market garden and construction of horticultural dwelling house. Granted: 25-NOV-88

- Application Number CO/1993/0634/ AltRef: 8/29/116F/PA - Proposed change of use of part of market garden for sale of bedding plants, shrubs and other garden centre produce. Granted: 10-MAR-93

## **2. CONSULTATION AND PUBLICITY**

### **2.1 Selby Area Internal Drainage Board**

No objections, subject to a condition to control surface water.

### **2.2 Environmental Health**

A condition to control construction hours is recommended, in the interests of residential amenity.

The EHO advises that caravan Sites may require licensing under the Caravan Sites and Control of Development Act 1960. The applicant should be made aware that a license may be required.

### **2.3 NYCC Highways**

The surface of the existing access to the site is breaking up and if not addressed, will allow loose material to be deposited onto the public highway (Hirst Road). To remove this highway safety issue, the Local Highway Authority recommends a condition for upgrading of the access track.

### **2.4 Yorkshire Water**

This proposal is in an area not served by the public sewerage network. In this instance, the application should be referred to the Environment Agency and the Local Authority's Environmental Health Section for comment on private treatment facilities.

### **2.5 Environment Agency**

No response received.

### **2.6 Parish Council**

Whilst in principle there was no objections, there is a concern raised regarding the potential of noise or disturbance in the surrounding vicinity. Clarity is required regarding the hours of use, again relating to the noise/ disturbance factor.

### **2.7 Contaminated Land**

No objections, subject to conditions.

### **2.8 Publicity**

The application has been advertised by site notice and no observations have been received.

A second round of publicity is ongoing and expires on 05.08.2022. The application has been advertised in the press and a new site notice displayed at the site. Up to the point of writing the report, no observations have been received.

### **3. SITE CONSTRAINTS**

#### **Constraints**

- 3.1 The application site is located outside Development Limits and classed as being within the countryside. The application site edged red on the location plan lies within Flood Zone 1. The site is within Groundwater Source Protection Zone 3.

### **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 22<sup>nd</sup> 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  
SP2 – Spatial Development Strategy  
SP13 – Scale and Distribution of Economic Growth  
SP15 – Sustainable Development and Climate Change  
SP18 – Protecting and Enhancing the Environment  
SP19 – Design Quality

### **Selby District Local Plan**

4.7 The relevant Selby District Local Plan Policies are:

ENV1 – Control of Development  
ENV2 – Environmental Pollution and Contaminated Land  
RT11 – Tourist Accommodation  
RT12 – Touring Caravan and Camping Facilities  
T1 – Development in Relation to the Highway Network  
T2 – Access to Roads

### **National Planning Policy Framework (NPPF)**

4.8 The relevant chapters of the NPPF are:

2. Achieving sustainable development  
4. Decision-making  
5. Delivering a strong, competitive economy  
9. Promoting sustainable transport  
11. Making effective use of land  
12. Achieving well-designed places  
14. Meeting the challenge of climate change, flooding and coastal change  
15. Conserving and enhancing the natural environment

## **5. Appraisal**

5.1 The main planning considerations are:

- The principle of the development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety
- Flood risk, drainage and groundwater
- Ecology
- Procedural matters

### **The Principle of the Development**

5.2 The proposal is for the change of use of land for a 15-pitch tourist camp site for tents and touring caravans, two park homes to stay on the site all year round but occupied as tourist accommodation, a storage building and an amenity block. The proposal does not represent the diversification of an agricultural or rural based business and is a new establishment.

- 5.3 Policy SP1 of the Core Strategy outlines that "when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework" and sets out how this will be undertaken. Policy SP1 is therefore consistent with the guidance in Paragraph 12 of the NPPF.
- 5.4 Paragraph 84(c) of the NPPF states that, "Planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. When considering sustainability, the NPPF has three overarching objectives – economic, social and environmental".
- 5.5 Policy SP2A(c) of the Core Strategy states that development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13. Policy SP2(c) of the Core strategy does not list change of use of land as being acceptable in principle, but it does support developments that improve the local economy and enhance or maintain the vitality of rural communities, in line with Policy SP13. Rural tourism is supported by Core Strategy Policy SP13 providing, amongst other criteria, it is considered sustainable.
- 5.6 Local Plan Policy RT11 applies in the assessment of the suitability of the two park homes. Local Plan Policy RT12 is relevant to the camping site for tents and touring caravans. Policy RT11 (Part 1) (adopted 2005) permits new tourist accommodation in the open countryside providing its either the re-use of a building or an extension to an existing premises. Policy RT12 of the Selby Local Plan supports the creation of new sites for camping and touring caravans in the open countryside, subject to a number of criteria. Part 7 of the policy states that they are only permitted where "The number of pitches in anyone would be in proportion to the size of the locally resident population so as not to disrupt community life".
- 5.7 The application site was formerly used as a market garden and garden centre. The site has been cleared and grassed but there are still significant areas of hardstanding and small-scale buildings. From the evidence available, specifically information sourced online, the garden centre had a café, playground, and a shop selling produce and garden implements including BBQs and furniture. When considering the evidence available as well as noting the hardstanding which was used as a car park and remains on site, the site is considered to be previously developed land.
- 5.8 The change of use would re-use a site that was historically used in part for a leisure use. The environmental benefits are limited but putting the site back to a use would encourage the land to be managed and maintained. The proposal would work towards achieving the social and economic objectives of the NPPF as it encourages tourism and has economic benefits to the local economy such as from visitors spending in the nearby village of Carlton.
- 5.9 Paragraph 84(c) of the NPPF supports sustainable rural tourism. Paragraph 85 of the NPPF states that decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements in locations that are not well served by public transport. In these circumstances it will be important to ensure that the development is sensitive to its

surroundings and does not have an unacceptable impact on local roads and exploits opportunities to make a location more sustainable (by improving the scope for access on foot, cycle or public transport. The use of previously developed land and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. The nearest bus stops are located on the High Street (A1041) in Carlton. The site is about a 10-minute walk into the nearby village of Carlton. It is possible that visitors may walk into Carlton although there are no footpaths. Some may use bicycles to visit local attractions and services. Nevertheless, most are likely to make any journeys by car. This weighs against the proposal, however on balance, when taking into account the nature of the use, that it is reasonably well related to Carlton, not being truly isolated and makes use of previously developed land it is considered to be acceptable.

- 5.10 Saved Policy RT11 (1) of the Local Plan 2005 permits new tourist accommodation in the open countryside providing it is either the re-use of a building or an extension to an existing premises. The proposal does not meet part 1 of Policy RT11 as the two park homes are new and not a conversion or extension to an existing premises. The proposed park homes are therefore contrary to the requirements of the Development Plan. However, the approaches taken by Policy SP13 and Paragraph 84 of the NPPF are significantly different to that taken in Policy RT11 as these later policies do not restrict tourist accommodation to only conversions and extensions. The more up to date consideration is whether the tourism development is sustainable when considering the objectives of the NPPF. Therefore, whilst the two park homes do not comply with Policy RT11 (part 1) of the Selby District Local Plan, it should be given limited weight due to the conflict between the requirements of part 1 of the policy and the different more up to date tests set out both in the Core Strategy and the NPPF. Therefore, officers are of the view that limited weight should be attached to the requirements of Policy RT11 and significant weight should be attached to the more up to date policies of both the Core Strategy and the NPPF.
- 5.11 In conclusion, the proposal would re-use a former market garden/ garden centre and puts the site to a use that is appropriate in rural areas. It would support rural tourism and benefit the local economy of Carlton. The scheme would rely on the use of the car for short journeys therefore does not promote more sustainable forms of transport, but this does not override the material benefits of the scheme, particularly its economic, environmental and social benefits set out within paragraph 8 of the NPPF. The Government, through the NPPF supports decisions that would help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth taking into account both local business needs and wider opportunities for development. Paragraph 84 of the NPPF supports the sustainable growth and expansion of all types of businesses in rural areas and the development and diversification of agricultural and other land-based rural businesses. On balance, the proposal is considered be acceptable in principle and at 15 pitches is a small-scale camp site that is suitable in scale for its location. Overall, the caravan and camping site is considered to be a sustainable development taking into account all the factors described above.
- 5.12 The proposed amenity block is an ancillary building to the camp site and complies with Policy RT12 (criterion 6) on the basis that it provides basic services on the site that is considered to be essential.

- 5.13 The applicant has not described the reason for the storage building. However, it would be reasonable to assume that a caravan and camp site will need a storage building for perhaps machinery in connection with maintenance of the land. The storage building is considered reasonable in its scale and appearance and commensurate with the size of the camp site. A condition is recommended to ensure that the storage building is linked to the use of the caravan and camp site to ensure that it is compliant with Core Strategy policy SP13 which seeks to manage the scale and distribution of economic growth in rural areas.
- 5.14 Therefore, whilst the proposed park homes would be contrary to Criterion 1 of Policy RT12, limited weight is attached by officers to policy RT12 on the basis of it being superseded by more up to date policies in the NPPF, Policies SP2A(c) and SP13 of the Core Strategy, along with meeting the requirements of policy RT11 and the other criteria set out in policy RT12 of the Selby Local Plan.

### **Impact on the Character and Appearance of the Area**

- 5.15 The NPPF, particularly paragraph 130 states that amongst other criteria, developments should add to the overall quality of an area, be visually attractive, sympathetic to local character and history, including the surrounding built environment and landscape setting whilst not preventing or discouraging innovation or change.
- 5.16 Core Strategy Policies SP18 and SP19 of the Core Strategy seek to ensure developments safeguard and, where possible, enhance the historic and natural environment including the landscape character and setting of areas of acknowledged importance. Developments should have layout and a high-quality design that has regard to the local character and the open countryside.
- 5.17 Local Plan Policies ENV1, RT11 and RT12 require developments to consider the impact on the character of an area. Parts 1 and 3 of Policy RT12 states that proposals should “not have a significant adverse effect on the character and open appearance of the countryside” and it should “not be visually intrusive and would be well screened by existing vegetation or would incorporate a substantial amount of landscaping within and around the site”.
- 5.18 The application site is a parcel of land behind the residential property known as Bridge View. The site is the end property in a row of three. Surrounding land is open countryside. The site boundaries are densely treed and landscaped. The site abuts open land on its west side, but caravans and buildings would not be visible from the open land due to the established landscaped boundaries. There would be minimal views into the site from the north, east and south as well due to the existing landscaping and buildings. On this basis, the impact of the caravan site on the character and appearance of the area is limited as it would be well screened by existing and established vegetation.

### **Impact on Residential Amenity**

- 5.19 Policy ENV1 (part 1), which states that proposals should take account of the effect upon the amenity of adjoining occupiers.
- 5.20 Bridge View is an end property of three. The three houses face the road and have substantial grounds to the rear. The grounds behind the adjacent property are

occupied by glasshouses and a caravan site is further north. The adjacent property is sited further forward than the proposed caravan site. The shared boundary is a brick wall with landscaping.

- 5.21 The proposal is for a small-scale camp site, therefore, comings and goings would not be significant. The business is also likely to operate at full capacity in the summer months only. The land directly to the east is also used for touring caravans and agriculture and as such it is not considered that noise created by guests will have an unreasonable impact on amenity. The application site is set back from the dwelling next door and there are substantial boundary treatments in place. When taking into consideration the site context and the small-scale nature of the camp site, the proposal is unlikely to create an unacceptable impact on residential amenity.
- 5.22 The access to the camp site is from Hirst Road. It is an existing access and bounded by a brick wall on the east side. Traffic generation is anticipated to be fairly low and not give rise to any adverse disturbance. It would be a seasonal business as well. The boundaries between the site and house next door further eliminate any adverse impact.
- 5.23 As such, the proposal has taken into account the amenity of nearby properties and no harm has been identified. Therefore, the development complies with Policy ENV1 (part 1).

#### **Impact on Highway Safety**

- 5.24 Policy in respect to highway safety and capacity is provided by SDLP Policies ENV1 (2), T1 and T2 and criterion f) of Core Strategy Policy SP15. The aims of these policies accord with paragraph 110 (b) of the NPPF which states that development should ensure that safe and suitable access can be achieved for all users to a site. In addition, paragraph 111 of the NPPF advises that development should only be refused (on highway grounds) where it would result in an unacceptable impact on highway safety.
- 5.25 The site is served via an existing access off Hirst Road. There is sufficient room for cars to leave the site in a forward gear. The proposal will increase traffic movements in and out of the site and it is acknowledged manoeuvres in and out of the access could be slow moving due to towing caravans. This is an established access that was previously used for agriculture and a garden centre. Hirst Road is a rural lane with a national speed limit, but at the site visit, it was noted to have low traffic levels. This is a small-scale camp site at only 15 pitches. Highways have been consulted and raised no objections, subject to improvements to the surface of the site.
- 5.26 The layout plan shows a car parking area for visitors. It is 41m wide and has potential to accommodate a minimum of 16 spaces, based on standard car parking width of 2.5m. The 16 spaces are deemed sufficient for the camp site at a ratio of 1 space per pitch.
- 5.27 Therefore, officers are of the view that a safe and suitable access can be provided and that there would be no highway safety issues or impacts on the wider transport network. The proposal therefore complies with the aforementioned policies.

## **Flood Risk, Drainage and Groundwater**

- 5.28 The application site is in flood zone 1, therefore at a low risk of flooding. The northern part of the site is vulnerable to flooding, lying within flood zones 2 and 3, this area has been specifically excluded from the application site. The owner states that as the northern area is vulnerable to flooding and as such will remain undeveloped and landscaped. The owner advises that this area will provide an attractive greenspace for visitors to walk their dogs or for children to play. This does not form part of the application and as such no weight has been attached to this consideration.
- 5.29 The site is in a groundwater source protection zone 3, which means it is part of the catchment area for the supply of drinking water. A groundwater source protection zone is the area around a supply source for drinking water. Zone 3 is defined as the 'total catchment' and could extend some distance from the source point.
- 5.30 Paragraph 174e of the NPPF states new and existing development should prevent from contributing to water pollution and this is reiterated in Local Plan Policy ENV2. Therefore, preventing the pollution of groundwater is a material planning consideration.
- 5.31 Where a development requires non mains drainage, a package treatment plant (PTP) is the preferred drainage option as this has the least impact on ground water and is the most sustainable form of non mains drainage. A PTP is proposed to serve the development. The PTP must comply with general binding rules, or a permit will be required by the Environment Agency (EA) No comments have been received by the Environment Agency as they do not comment on applications of this minor nature. Applicants are referred to the standing advice provided by the EA on their website. An informative is recommended should Members resolve to grant planning permission.
- 5.32 In summary, the use of a package treatment plant is deemed acceptable for the disposal and treatment of foul drainage. The proposal meets Planning Practice Guidance for non mains drainage, the NPPF and local plan policy ENV2.
- 5.33 The surface water run off would be from an existing car park, small scale buildings and park homes. It is not known if the car park already has a surface water drainage system. With part of the site being used for vehicles and within a groundwater protection zone, it is recommended that a condition should be imposed for surface water details to be agreed should Members resolve to grant planning permission.

## **Ecology**

- 5.34 The NPPF makes it clear that planning decisions should protect our natural environment and this is one of three main objectives of the NPPF. Paragraph 174 of the NPPF states "Planning policies and decisions should contribute to and enhance the natural and local environment by a number of measures including d) minimising impacts on and providing net gains for biodiversity". The need to protect biodiversity and wildlife habitats is also relayed in local policies ENV1 and SP18.
- 5.35 An ecological report was not considered necessary for the application. However, due to the location and planting, it is considered that careful consideration should

be given to any lighting in the interests of protecting bats that may use the site. If lighting is to be installed, details should be agreed by condition.

- 5.36 In conclusion, the scheme would protect the natural environment. A biodiversity net gain could be secured by a condition for an ecological enhancement plan.

### **Procedural Matters**

#### *Effect Upon the Agricultural Occupancy Condition*

- 5.37 The dwelling associated with the former use, Bridge View, is restricted by an agricultural occupancy condition. The house was originally built for a second farmworkers dwelling for the market garden business. The market garden business has now ceased, and the land is now subject of this camp site application.
- 5.38 This change of use application would result in Bridge View having no land left over to run an agricultural business. However, the farm workers dwelling can still be attractive to those who work in farming in the vicinity or retired farmworkers. As such, the granting of this application, in the view of officers would not adversely affect the LPA's position of defending the agricultural occupancy condition unless it is justified otherwise.

## **6. CONCLUSION**

- 6.1 The proposed caravan and camp site including the siting of two park homes for holiday use is deemed to be in accordance with Core Strategy Policies Policy SP2 and SP13 and paragraph 84 of the NPPF because it is for an appropriate use in the open countryside and a sustainable proposal that will enhance the vitality of rural communities and support economic growth. As set out above, the proposal does not comply with criteria 1 of Selby Local Plan Policy RT11. However, officers are of the view that this part of the policy has been superseded by more up to date policies contained within the Core Strategy and the National Planning Policy Framework which seeks to support all types of businesses in rural areas and re-development of previously developed land.
- 6.2 The proposal will protect the character of this rural area due to its small-scale nature and the established landscaping on the boundaries. There are no residential amenity, highway, or drainage issues. The proposal is considered to be a sustainable rural tourism and leisure development and as such considered to comply with the NPPF, Core Strategy Policies SP1, SP2, SP15, SP18 and SP19 and Local Plan Policies ENV1, T1 and T2.

## **7. RECOMMENDATION**

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

- 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 not be carried out otherwise in complete accordance with the approved plans and specifications:

Amenity Building and Storage Building (Drawing Number 2099-01-03B)

Location Plan and Block Plans (Drawing Number 2099-01-02C)

Lodge Floor Plans and Elevations (Drawing Number 1674P)

Reason:

To ensure that no departure is made from the details approved and that the whole of the development is carried out, in order to ensure the development accords with Policy ENV1.

- 03 The park homes and touring caravans shall be occupied for holiday purposes only and not be occupied as a person's sole, or main place of residence.

Reason:

This site is in a position where the Local Planning Authority, having regard to the sustainability, residential amenity, access, would not permit permanent residential accommodation in accordance with the NPPF, Core Strategy Policy SP2 and Selby Local Plan Policies ENV1, RT11, RT12 of the Selby District Local Plan.

- 04 The owners/ operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at the request of the Local Planning Authority.

Reason:

This site is in a position where the Local Planning Authority, having regard to the sustainability, residential amenity, access, would not permit permanent residential accommodation in accordance with the NPPF, Core Strategy Policy SP2 and Selby Local Plan Policies ENV1, RT11, RT12 of the Selby District Local Plan.

- 05 The tourist caravan site is limited to touring caravans, motor homes and tents. The maximum number of touring caravans, motor homes and tents are limited to 15 at any one time, and they shall only pitch on the area coloured green and annotated as 'Camp Site Area' on the submitted Block Plan 2099-01-02C. No touring caravan, tents or motor homes shall be sited in other areas of the site.

Reason:

In order to ensure that the scale of the proposed use accords with its location, adjacent to residential properties and to ensure sufficient on-site parking is available in accordance with the NPPF, Local Plan Policies ENV1, T1 and T2 and criterion f) of Core Strategy Policy SP15.

- 06 Prior to the development or use commencing, a scheme for the disposal of surface water from the car park, park homes and proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the use commences and the buildings are brought into use.

Reason:

To ensure the development is provided with satisfactory means of drainage and to ensure the protection of ground water in accordance with the NPPF and Local Plan Policy ENV2.



- 07 The storage building approved by this planning consent shall be used only for purposes incidental to the operation of the camp site and for no other purpose.

Reason:

To ensure the building is used for a use that is appropriate to the open countryside and in accordance with Core Strategy Policy SP2.

- 08 The development must not be brought into use until the access to the site at Hirst Road 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 (improved) in accordance with the approved details and/or Standard Detail number E20 and the following requirements.

Any gates or barriers must be erected a minimum distance of 15 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.

Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway and must be maintained thereafter to prevent such discharges.

The final surfacing of any private access within 15 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

All works must accord with the approved details.

Reason:

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users, in accordance with Policies ENV1 (2), T1 and T2 of the Selby Local Plan, criterion f) of Core Strategy Policy SP15 and paragraph 110 of the NPPF.

- 09 Prior to the first occupation of the site a site investigation and risk assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason:

To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination, in accordance with paragraph 184 of the NPPF and Selby Local Plan Policy ENV2.

- 10 Where remediation works are shown to be necessary, the site shall not be occupied until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason:

To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors, in accordance with paragraph 184 of the NPPF and Selby Local Plan Policy ENV2.

- 11 Prior to first occupation or use, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason:

To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination, in accordance with paragraph 184 of the NPPF and Selby Local Plan Policy ENV2. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

- 12 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, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason:

To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with paragraph 184 of the NPPF and Selby Local Plan Policy ENV2.

- 13 Should any lighting be required in connection with the development hereby approved, details of the lighting including type, design, siting and times of use shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved lighting shall be installed and retained in accordance with the approved details.

Reason:

In the interests of protecting the character of the area, residential amenity and nature conservation in accordance with Policy ENV1 of Selby District Local Plan, SP18 and SP19 of the Selby Core Strategy and the NPPF.

- 14 Within 3 months of the date of this permission, a biodiversity enhancement scheme, including a timetable for implementation shall be submitted to the Local Planning Authority for approval.

The biodiversity enhancement scheme shall be carried out in accordance with the approved details and to a timetable to be agreed with the Local Planning Authority.

Reason:

In order to protect and enhance the sites ecological value in accordance with the NPPF, Policy SP18 of the Selby Core Strategy and ENV1 of the Selby Local Plan.

**INFORMATIVE:**

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

**INFORMATIVE**

The operator must ensure that they are meeting the general binding rules. The General Binding Rules cover small discharges from package treatment plants and septic tanks. A list of the rules can be found here: General binding rules: small sewage discharge to the ground - GOV.UK ([www.gov.uk](http://www.gov.uk)). If the operator cannot comply with any of the rules, they must apply for a discharge permit with the Environment Agency. There are additional rules for if the discharge is installed after the 1st January 2015

**INFORMATIVE**

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf) .

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

**INFORMATIVE**

The business may require licensing under the Caravan Sites and Control of Development Act 1960. The operator is advised to contact the Selby Environmental Health Team for further information and advice.

**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**

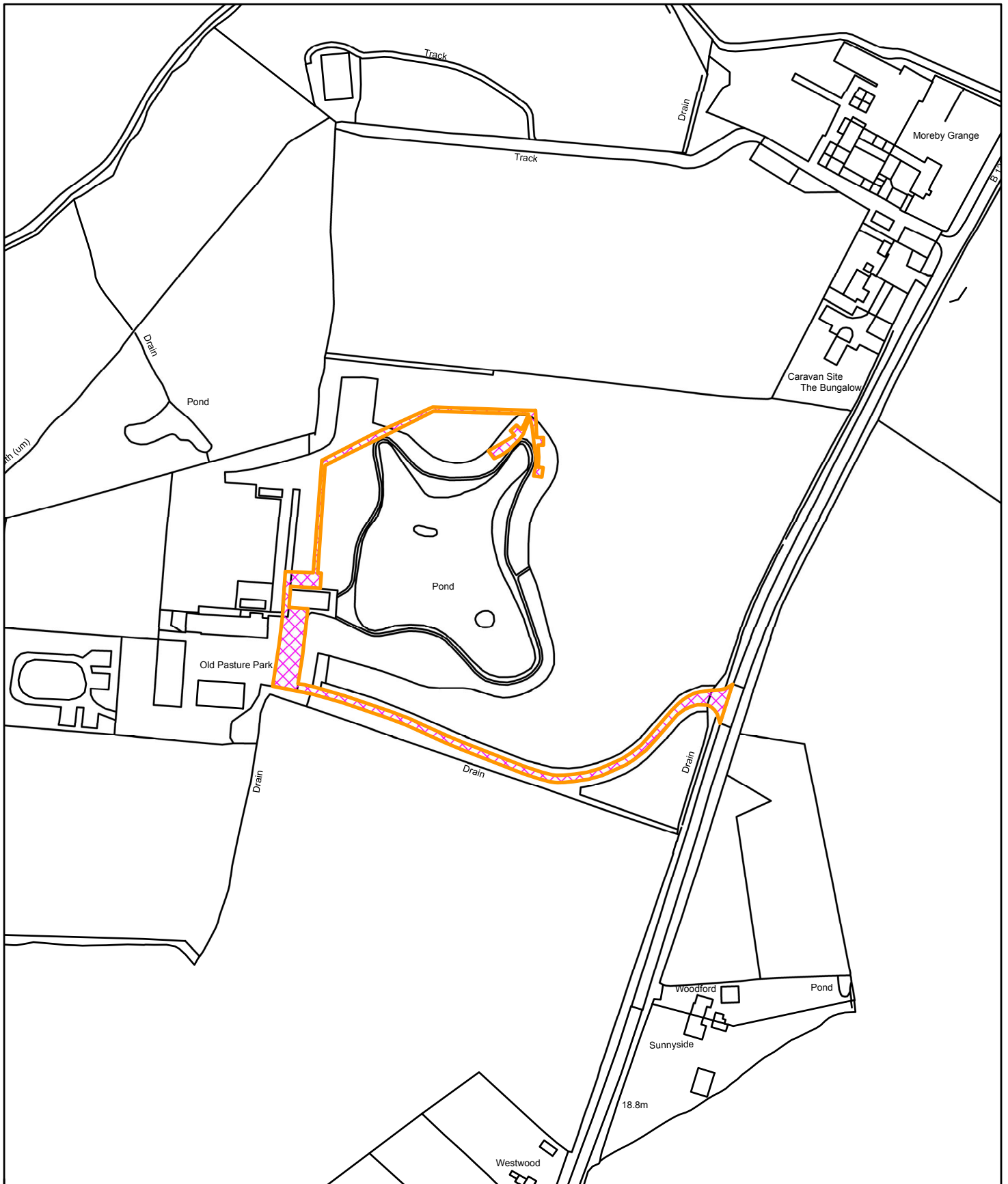
Planning Application file reference 2021/1298/FUL and associated documents.

**Contact Officer: Elizabeth Maw, Senior Planning Officer**

**Appendices: None**

# Agenda Item 5.3

Old Pasture Park, York Road, Stillingfleet  
2021/1360/FUL

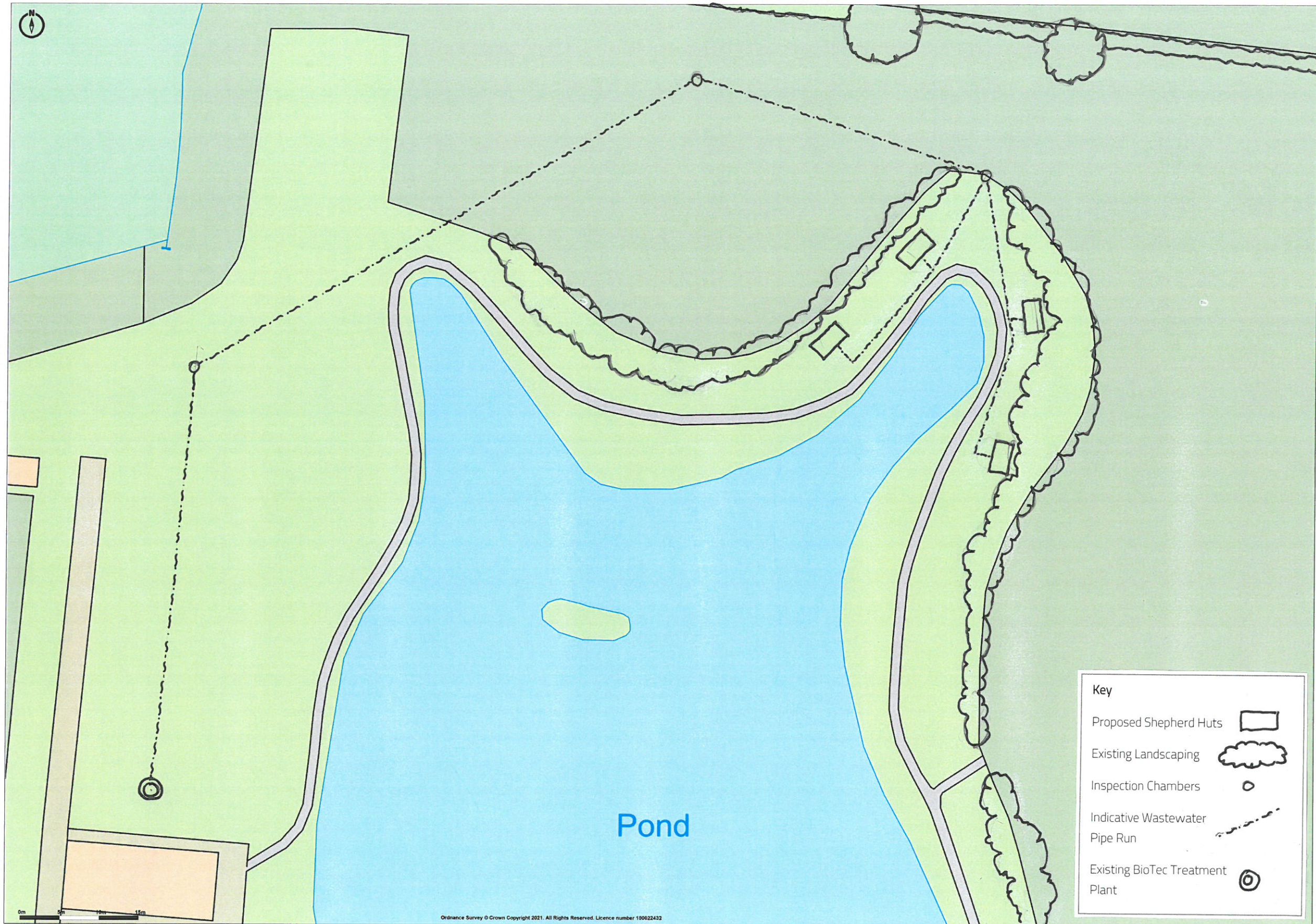







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Key	
Proposed Shepherd Huts	
Existing Landscaping	
Inspection Chambers	
Indicative Wastewater Pipe Run	
Existing BioTec Treatment Plant	



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**Report Reference Number 2021/1360/FUL**

**To: Planning Committee**  
**Date: 17<sup>th</sup> August 2022**  
**Author: Elizabeth Maw (Senior Planning Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2021/1360/FUL	PARISH:	Stillingfleet Parish Council
APPLICANT:	S Atkinson & Son	VALID DATE: EXPIRY DATE:	15th November 2021 10th January 2022
PROPOSAL:	Change of use of land for the siting of four shepherd huts and associated works (part retrospective)		
LOCATION:	Old Pasture Park York Road Stillingfleet Selby North Yorkshire YO19 6HW		
RECOMMENDATION:	GRANTED subject to conditions and that no objections are received following expiry of the publicity period.		

This application has been brought before the Planning Committee by virtue of 3.8.9(b)(iii) of the Council's Constitution as the proposal is contrary to the requirements of the development plan (namely Criterion 1 of Policy RT11 of the Selby District Local Plan), but it is considered that there are material considerations (more up to date policy) which would justify approval of the application.

## **1. INTRODUCTION AND BACKGROUND**

### **Site and Context**

- 1.1 The application site is known as Old Pasture Park and it is located on York Road, to the north of Stillingfleet Village. The site is outside development limits and within open countryside. The owner has a farming business on the land and this scheme is a diversification project for the farming business. This is not the only farm diversification project on the site, as a fishing lake was granted consent in 2009 and a touring caravan site was granted consent in 2021.

## **The Proposal**

- 1.2 The proposal is for four shepherd huts in the grounds of Old Pasture Park. The shepherd huts are to be used for holiday lets. The shepherd huts are proposed to be located on the northeastern corner of the fishing lake. Two of the four proposed huts are already on site. The huts come pre constructed and are therefore 'use of land' for the siting of the huts.
- 1.3 Access is via the existing access off York Road, which also serves the farm business and the touring caravan park. Parking is proposed within the central yard/ main car park, which is already used for parking for staff and visitors.
- 1.4 The application has been publicised by site notice and no observations were received. Given that the proposal is contrary to RT11 of the Local Plan, it is a departure from the Development Plan and was required to be re-advertised accordingly before the determination of the application. The advertisement period will expire on the 17.8.22, which is the day of the Planning Committee. Therefore, should Members be minded granting planning permission as per the officer recommendation, this would need to be subject to the expiry of the second round of publicity and no objections raising material planning considerations being received. If material planning objections are received during the period of re-advertisement, the application would be brought back to the next committee meeting for further consideration.

## **Relevant Planning History**

- 1.3 The following historical applications are considered to be relevant to the determination of this application:
  - 2021/0088/COU - Change of use of land to a caravan park for up to 12 touring caravans and associated operational development (retrospective)  
Granted 13.08.2021.
  - 2014/1237/OUT - Outline planning application with all matters reserved for an agricultural worker dwelling to be used in association with existing agricultural operation and fishing lakes.  
Granted 08.06.2015.
  - 2009/0425/FUL - Construction of lake to use for irrigation and recreational fishing  
Granted: 20-AUG-09.

## **2. CONSULTATION AND PUBLICITY**

### **2.1 NYCC Highways**

No objections.

### **2.2 The Ouse & Derwent Internal Drainage Board**

No objections, subject to conditions.

### **2.3 Natural England**

No comments.

## 2.4 **County Ecologist**

The application is supported by a thorough Preliminary Ecological Appraisal (PEA). This identifies few nature conservation constraints, but the applicant should be mindful of the advice set out in section 6.2 of the PEA (this could be reinforced via an Informative, if considered appropriate).

Section 6.3 of the PEA proposes a number of options for ecological enhancement but there is no indication of which, if any, of these would be implemented. This needs to be clarified in order to demonstrate how the proposed development would deliver net gains for biodiversity in line with the requirements of the NPPF.

## 2.5 **Parish Council**

No observations received.

## 2.6 **Publicity**

The application has been advertised by site notice and no observations have been received.

A second round of publicity is ongoing and expires on 17.08.2022. The application has been advertised in the press and a new site notice displayed at the site.

## **3 SITE CONSTRAINTS**

3.1 The site is outside development limits and lies within the open countryside.

3.2 The site is not vulnerable to flooding (flood zone 1).

## **4 POLICY CONSIDERATIONS**

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

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

4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options 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  
SP2 - Spatial Development Strategy  
SP13 - Scale and Distribution of Economic Growth  
SP15 - Sustainable Development and Climate Change  
SP18 - Protecting and Enhancing the Environment  
SP19 - Design Quality

### **Selby District Local Plan**

4.7 The relevant Selby District Local Plan Policies are:

ENV1 – Control of Development  
ENV2 – Environmental Pollution and Contaminated Land  
RT11 – Tourist Accommodation  
T1 – Development in Relation to the Highway Network  
T2 – Access to Roads

### **National Planning Policy Framework (NPPF)**

4.8 The relevant chapters of the NPPF are:

2. Achieving sustainable development  
4. Decision-making  
5. Delivering a strong, competitive economy  
9. Promoting sustainable transport  
11. Making effective use of land  
12. Achieving well-designed places  
14. Meeting the challenge of climate change, flooding and coastal change  
15. Conserving and enhancing the natural environment

## **5 APPRAISAL**

5.1 The main planning considerations are:

- The principle of the development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety
- Drainage
- Ecology

### **The Principle of the Development**

- 5.2 The proposal is for four shepherd huts to be used as holiday lets. Each hut has a bed, small kitchenette and bathroom. The site lies within open countryside and the shepherd huts would be sited alongside a fishing lake. Two huts are already on site.
- 5.3 Policy SP1 of the Core Strategy outlines that "when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework" and sets out how this will be undertaken. Policy SP1 is therefore consistent with the guidance in Paragraph 12 of the NPPF.
- 5.4 Paragraph 84(c) of the NPPF states that, "Planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. When considering sustainability, the NPPF has three overarching objectives – economic, social and environmental".
- 5.5 Policy SP2A(c) of the Core Strategy states that development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13. Rural tourism and farm diversification schemes are supported by Core Strategy Policy SP13 providing, amongst other criteria, it is considered sustainable. Policy RT11 (Part 1) (adopted 2005) permits new tourist accommodation in the open countryside providing its either the re-use of a building or an extension to an existing premises.
- 5.6 The proposed shepherd huts would work towards achieving the social and economic objectives of the NPPF, as it encourages tourism, supports the existing farming business and has economic benefits to the local economy, such as from visitors spending in the nearby village of Stillingfleet and surrounding villages.
- 5.7 Paragraph 85 of the NPPF states that decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements in locations that are not well served by public transport. In these circumstances, it will be important to ensure that the development is sensitive to its surroundings and does not have an unacceptable impact on local roads and exploits opportunities to make a location more sustainable by improving the scope for access on foot, cycle or public transport. This is a small-scale tourism scheme and a short walk to the village of Stillingfleet. The village is served by a local bus service. Some may use bicycles to visit local attractions and services. Nevertheless, most are likely to make any journeys by car. This weighs against the proposal, however on balance, when taking into account the nature of the use, that it is

reasonably well related to Stillingfleet, a small-scale scheme and not being truly isolated, it is considered to be acceptable.

- 5.8 Saved Policy RT11 (1) of the Local Plan 2005 permits new tourist accommodation in the open countryside providing it is either the re-use of a building or an extension to an existing premises. The proposal does not meet part 1 of Policy RT11, as the shepherd huts are new and not a conversion or extension to an existing premises. The proposed huts are therefore contrary to the requirements of the Development Plan. However, the approaches taken by Policy SP13 and Paragraph 84 of the NPPF are significantly different to that taken in Policy RT11, as these later policies do not restrict tourist accommodation to only conversions and extensions. The more up to date consideration is whether the tourism development is sustainable when considering the objectives of the NPPF. Therefore, whilst the huts do not comply with Policy RT11 (part 1) of the Selby District Local Plan, it should be given limited weight due to the conflict between the requirements of part 1 of the policy and the different more up to date tests set out both in the Core Strategy and the NPPF. Therefore, officers are of the view that limited weight should be attached to the requirements of Policy RT11 and significant weight should be attached to the more up to date policies of both the Core Strategy and the NPPF.
- 5.9 In conclusion, this is a small-scale tourism scheme and a diversification project for an established farming business. It would support rural tourism and benefit the local economy of Stillingfleet. Visitors may rely on the use of the car therefore the scheme does not promote more sustainable forms of transport, but this does not override the material benefits of the scheme, particularly its economic and social benefits set out within paragraph 8 of the NPPF. The Government, through the NPPF supports decisions that would help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth taking into account both local business needs and wider opportunities for development. Paragraph 84 of the NPPF supports the sustainable growth and expansion of all types of businesses in rural areas and the development and diversification of agricultural and other land-based rural businesses. On balance, the proposal is considered acceptable in principle and a small-scale proposal that is suitable in scale for its location. Overall, the proposal is considered to be a sustainable development taking into account all the factors described above.
- 5.10 Therefore, whilst the proposed huts would be contrary to Criterion 1 of Policy RT11, limited weight is attached by officers to policy RT11 on the basis of it being superseded by more up to date policies in the NPPF, Policies SP2A(c) and SP13 of the Core Strategy, along with meeting other criteria set out in policy RT11 of the Selby Local Plan.

### **Impact on the Character and Appearance of the Area**

- 5.11 The NPPF, particularly paragraph 130 states that amongst other criteria, developments should add to the overall quality of an area, be visually attractive, sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging innovation or change.
- 5.12 Core Strategy Policies SP18 and SP19 of the Core Strategy seek to ensure developments safeguard and, where possible, enhance the historic and natural environment including the landscape character and setting of areas of acknowledged importance. Developments should have layout and a high-quality

design that has regard to the local character and the open countryside. Local Plan Policies ENV1 and RT11 require developments to consider the impact on the character of an area.

- 5.13 The proposed shepherd huts are wooden clad structures with a height of 2.6m. The four huts would be clustered together on the north side of the fishing lake. The fishing lake has established planting around it and a bund on the east and south side. The shepherd huts would not be clearly visible from public vantage points, due to their small footprint and low height, the bund and established planting. In the summer, trees would screen the shepherd huts from York Road. In the winter, there would be views of the top of the huts through the planting, but it would be limited to only glimpses and these limited views would not have an adverse effect on the rural character of the area overall.
- 5.14 On this basis, the impact of the shepherd huts on the character and appearance of the area is limited as it would be well screened by existing and established vegetation.

### **Impact on Residential Amenity**

- 5.15 Policy ENV1 (part 1), which states that proposals should take account of the effect upon the amenity of adjoining occupiers.
- 5.16 The site is surrounded by open countryside and the shepherd huts are a significant distance away from housing. The four huts would generate limited comings and goings and noise as it is such a small-scale scheme.
- 5.17 As such, the proposal has taken into account the amenity of nearby properties and no harm has been identified. Therefore, the development complies with Policy ENV1 (part 1).

### **Impact on Highway Safety**

- 5.18 Policy in respect to highway safety and capacity is provided by SDLP Policies ENV1 (2), T1 and T2 and criterion f) of Core Strategy Policy SP15. The aims of these policies accord with paragraph 110 (b) of the NPPF which states that development should ensure that safe and suitable access can be achieved for all users to a site. In addition, paragraph 111 of the NPPF advises that development should only be refused (on highway grounds) where it would result in an unacceptable impact on highway safety.
- 5.19 The site is served via an existing access off York Road and parking is available within the grounds of the farm. The proposal would generate limited vehicular activity. Highways have been consulted and raised no objections.
- 5.20 Therefore, officers are of the view that a safe and suitable access can be provided and that there would be no highway safety issues or impacts on the wider transport network. The proposal therefore complies with the aforementioned policies.

### **Drainage**

- 5.21 The application site is in flood zone 1, therefore at a low risk of flooding.

- 5.22 The site is not served by mains drainage. A package treatment plant (PTP) is proposed for foul water. This is the preferred drainage option as it is the most sustainable form of non mains drainage. The PTP must comply with general binding rules, or a permit will be required by the Environment Agency (EA). An informative can be applied to any decision to remind the applicant of the general binding rules.
- 5.23 Surface water is not considered problematic due to the size of the proposal and the adjacent fishing lake could hold any run-off.
- 5.24 In summary, the use of a package treatment plant is deemed acceptable for the disposal and treatment of foul drainage. No surface water issues are expected to arise. The proposal meets Planning Practice Guidance for non mains drainage, the NPPF and local plan policy ENV2.

## **Ecology**

- 5.25 The NPPF makes it clear that planning decisions should protect our natural environment and this is one of three main objectives of the NPPF. Paragraph 174 of the NPPF states "Planning policies and decisions should contribute to and enhance the natural and local environment by a number of measures including d) minimising impacts on and providing net gains for biodiversity". The need to protect biodiversity and wildlife habitats is also relayed in local policies ENV1 and SP18.
- 5.26 The application is supported by an ecological appraisal. This survey found that the scheme would have no impact on protected species. The site has no evidence of newts. The recommendations of the report included special care for lighting to protect bats, any vegetation clearance to be timed outside the nesting season and if any trenches are needed to be dug for footings, these should include slopes to protect hedgehogs. The recommendations of the ecology report can be an informative of any planning approval.
- 5.27 In conclusion, the scheme would protect the natural environment. A biodiversity net gain could be secured by a condition for an ecological enhancement plan.

## **6. CONCLUSION**

- 6.1 The proposal is deemed to be in accordance with Core Strategy Policies Policy SP2 and SP13 and paragraph 84 of the NPPF, because it is for an appropriate use in the open countryside and a sustainable proposal that will enhance the vitality of rural communities and support economic growth. As set out above, the proposal does not comply with criteria 1 of Selby Local Plan Policy RT11. However, officers are of the view that this part of the policy has been superseded by more up to date polices contained within the Core Strategy and the National Planning Policy Framework which seeks to support all types of businesses in rural areas.
- 6.2 The proposal will protect the character of this rural area due to its small-scale nature and the established landscaping on the boundaries. There are no residential amenity, highway, drainage or ecological issues. The proposal is considered to be a sustainable rural tourism and leisure development and as such considered to comply with the NPPF, Core Strategy Policies SP1, SP2, SP15, SP18 and SP19 and Local Plan Policies ENV1, T1 and T2.



## 7 RECOMMENDATION

This application is recommended to be **Granted** subject to the expiry of the publicity on the 17.08.2022 and subject to no new issues being raised. Following the expiry of the publicity the Head of Planning/Planning Development Manager be authorised to issue the permission subject to the following conditions:

- 01 The development hereby permitted shall not be carried out otherwise in complete accordance with the approved plans and specifications:

Site Location Plan (received 04.11.2021)  
Proposed Site Layout Plan (received 04.11.2021)  
Shepherd Huts Manufacturer Details (received 04.11.2021)  
Section 3.3 of the Planning Statement by ELG Planning (floor plans and dimensions).

Reason:

To ensure that no departure is made from the details approved and that the whole of the development is carried out, in order to ensure the development accords with Policy ENV1.

- 02 The foul drainage for the four shepherd huts shall connect to the existing Klargester BioTec Sewage Treatment Plant (location as shown on the approved site layout) and the connections shall be completed prior to any of the shepherd huts being brought into use.

Reason:

To ensure the development is provided with satisfactory means of drainage in accordance with the NPPF and Local Plan Policy ENV2

- 03 The shepherd huts shall be occupied for holiday purposes only and not be occupied as a person's sole, or main place of residence.

Reason:

This site is in a position where the Local Planning Authority, having regard to the sustainability, residential amenity, access, would not permit permanent residential accommodation in accordance with the NPPF, Core Strategy Policy SP2 and Selby Local Plan Policies ENV1, RT11, RT12 of the Selby District Local Plan.

- 04 The owners/ operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at the request of the Local Planning Authority.

Reason:

This site is in a position where the Local Planning Authority, having regard to the sustainability, residential amenity, access, would not permit permanent residential accommodation in accordance with the NPPF, Core Strategy Policy SP2 and Selby Local Plan Policies ENV1, RT11, RT12 of the Selby District Local Plan.

- 05 Should any lighting be required in connection with the development hereby approved, details of the lighting including type, design, siting and times of use shall

be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved lighting shall be installed and retained in accordance with the approved details.

Reason:

In the interests of protecting the character of the area, residential amenity and nature conservation in accordance with Policy ENV1 of Selby District Local Plan, SP18 and SP19 of the Selby Core Strategy and the NPPF.

- 06 Within 3 months of the date of this permission, a biodiversity enhancement scheme, including a timetable for implementation shall be submitted to the Local Planning Authority for approval.

The biodiversity enhancement scheme shall be carried out in accordance with the approved details and to a timetable to be agreed with the Local Planning Authority.

Reason:

In order to protect and enhance the sites ecological value in accordance with the NPPF, Policy SP18 of the Selby Core Strategy and ENV1 of the Selby Local Plan.

## **INFORMATIVES**

### **INFORMATIVE**

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

### **INFORMATIVE**

The operator must ensure that they are meeting the general binding rules. The General Binding Rules cover small discharges from package treatment plants and septic tanks. A list of the rules can be found here: General binding rules: small sewage discharge to the ground - GOV.UK ([www.gov.uk](http://www.gov.uk)). If the operator cannot comply with any of the rules, they must apply for a discharge permit with the Environment Agency. There are additional rules for if the discharge is installed after the 1st January 2015.

### **INFORMATIVE**

The business may require licensing under the Caravan Sites and Control of Development Act 1960. The operator is advised to contact the Selby Environmental Health Team for further information and advice.

### **INFORMATIVE**

The applicant is advised to follow the recommendations set out in part 6.2 of the submitted Preliminary Ecological Appraisal by BJ Collins dated February 2021.

## **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 2021/1360/FUL and associated documents.**

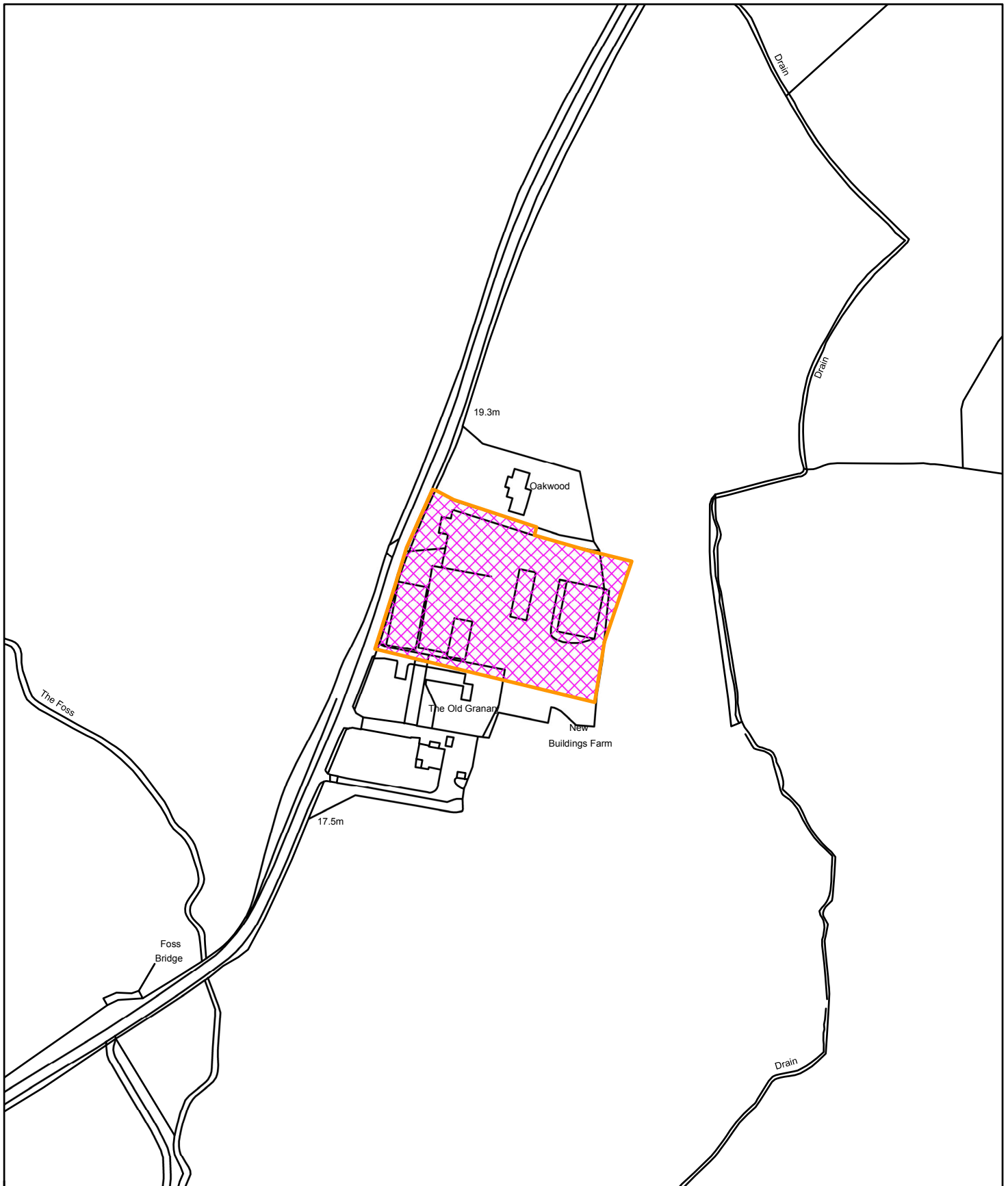
**Contact Officer: Elizabeth Maw, Senior Planning Officer**

**Appendices: None**

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# Agenda Item 5.4

Oakwood Barns, Main Street, Healaugh  
2021/0868/FUL



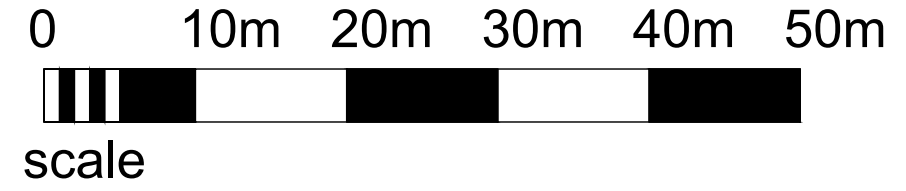
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Oakwood Barns Healaugh  
Site Layout Plan (Full COU) scale 1:500 at A3 26-07-2022 drwg. no.2902-05-05

*Chris Finn Architect*

BOWLING GREEN HOUSE  
38 RYTHERGATE  
CAWOOD SELBY YO8 3TP  
TEL: 01757 268650

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**Report Reference Number 2021/0868/FUL**

**To: Planning Committee**  
**Date: 17 August 2022**  
**Author: Fiona Ellwood (Principal Planning Officer)**  
**Lead Officer: Hannah Blackburn (Interim Planning Development Manager)**

APPLICATION NUMBER:	2021/0868/FUL	PARISH:	Healaugh Parish Council
APPLICANT:	Mr J Richardson/JAG A Properties Ltd	VALID DATE: EXPIRY DATE:	6th September 2021 1st November 2021
PROPOSAL:	Conversion of agricultural building to 2 dwellings, removal of concrete hardstandings and impermeable outside storage and circulation areas, provision of car parking and landscaping		
LOCATION:	Oakwood Barns Main Street Healaugh Tadcaster		
RECOMMENDATION:	APPROVE		

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

## **1. INTRODUCTION AND BACKGROUND**

### **Site and Context**

- 1.1 The site is located on the east side of Wighill Lane, between the villages of Wighill and Healaugh. It is a farmstead comprising a range of substantial modern farm buildings. The dwelling known as Oakwood lies to the north of the site. To the south is a range of brick barns which have been converted to dwellings under a previous planning permission.
- 1.2 The site consists of four large detached agricultural buildings. Two of the buildings on the west side are the subject of a Part Q permitted development application for conversion to 5 dwellings. This has been resubmitted following a previous refusal.

This application relates to the single largest agricultural building on the east side of the site and is proposed for conversion to 2 dwellings. The building comprises a large steel portal frame with a corrugated asbestos cement panel roof. The walls are clad with profiled steel cladding.

## **The Proposal**

- 1.2 The proposal is to convert the building to two 4 bedroom dwellings with integral garaging. The scheme includes the removal of concrete hardstandings and impermeable outside storage and circulation areas together with the provision of car parking and landscaping.

## **Relevant Planning History**

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

CO/1978/32017, AltRef: 8/82/15/PA: Erection of an agricultural building, Address: New Buildings Farm, Main Street, Healaugh, Tadcaster, LS24 8BU. Permitted 05-JUL-78

2017/0706/FUL-Proposed conversion of existing disused agricultural buildings to form two residential dwellings with associated garaging. Approved 08/12/2017  
Subject to a condition which states:

*No buildings on land to the north and east of the application site as shown on Plan Reference R075.01.04 REV A dated 12th October 2017 are to be used for animals, or livestock or agricultural purposes which would give rise to noise and odour nuisance.*

*Reason: In accordance with policy ENV1 and in the interest of the amenity of occupants of the scheme hereby approved.*

The above condition relates to the farm site and buildings which are now the subject of this planning application and the Part Q Prior Notification applications.

2021/0870/ATD: Prior notification for the change of use of agricultural buildings to 5 dwellings (Use Class C3) and associated operational development. Oakwood Barns, Main Street, Healaugh, Tadcaster. Decision: Refused 17 Sept 2021- Not PD

2022/0207/ATD: Resubmission of the above- decision pending

## **2. CONSULTATION AND PUBLICITY**

### **2.1 NYCC Highways**

There are no local highway authority objections to the proposals.

### **2.2 Yorkshire Water Services Ltd**

No comments received

Environmental Health

- 2.3 As all agricultural activities will be removed from the site as part of the application, I have no comments to make.

Historic England

- 2.4 No comments

Natural England

- 2.5 No objections Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

North Yorkshire Bat Group

- 2.6 No comments received

Yorkshire Wildlife Trust

- 2.7 No comments received

County Ecologist

- 2.8 The current application refers to the metal barn near the eastern edge of the farmyard, referred to as Building 4 in the Bat, breeding bird and Barn Owl scoping survey (MAB Environment & Ecology Ltd, November 2020). This was assessed as unsuitable for roosting bats; it was, however, used occasionally by a roosting Barn Owl. Should Selby District Council be minded to approve this application, we recommend a Condition to adhere to the Method Statement set out in section 9.2 of the Bat, breeding bird and Barn Owl scoping survey. This includes installation of 1 integral bat box and 1 integral Swift box as well provision of temporary and permanent Barn Owl boxes.

Contaminated Land Consultant

- 2.9 Agricultural buildings and land often lead to the presence of contamination on a site. Additionally, the proposals involve the introduction of an end use to the site that is more sensitive to the presence of contamination than the existing use. As a minimum, a Phase 1 preliminary contaminated land risk assessment, consisting of a desk top study and site walkover survey will need to be carried out. It is likely that intrusive site investigations will also need to be carried out in order to demonstrate that the site is safe and suitable for the proposed use. I would therefore recommend that the following planning conditions;

- (i) Investigation of Land Contamination Prior to development (excluding demolition)
- (ii) Submission of a Remediation Strategy
- (iii) Verification of Remediation Works
- (iv) Reporting of Unexpected Contamination

Ainsty (2008) Internal Drainage Board

- 2.10 The Board has assets close to the site in the form of The Foss. This watercourse is known to be subject to high flows during storm events. Consent is needed for any connection, discharge or works into, within or over a board watercourse. Consent may also be needed from the landowner. Detailed comments made about the requirements and options for dealing with surface water and foul sewage and recommends the wording for a condition for drainage works to be agreed and an informative regarding consent to discharge into any watercourse,

### Parish Council

2.11 No Comments received

### Publicity

2.12 The application was publicised by site notice and press notice resulting in no letters of response.

## **3 SITE CONSTRAINTS**

### **Constraints**

3.1 The site is outside the development limits of any settlement in the open countryside. There are no environmental designation on or near the site.

## **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  
SP2 Spatial Development Strategy  
SP15 Sustainable Development and Climate Change  
SP18 Protecting and Enhancing the Environment  
SP19 Design Quality

## **Selby District Local Plan**

4.7 The relevant Selby District Local Plan Policies are:

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

## **5 APPRAISAL**

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

1. Principle of Development
2. Character and Appearance of the Locality
4. Impact on Nature Conservation
5. Flood Risk & Drainage
6. Residential Amenity
7. Highway Safety
8. Contamination and Ground Conditions

### **Principle of the Development**

5.2 CS Policy SP1 states that "when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework" and sets out how this will be undertaken. CS Policy SP1 is therefore consistent with national policy set out in the NPPF.

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

*"the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances."*

Therefore, this policy supports the re-use of existing buildings in the countryside. It does state a preference for employment uses but does not set this as a

requirement. The re-use of this farm building for two dwellings would therefore not conflict with the aims of CS SP2c) provided it would enhance or maintain the vitality of rural communities. The provision of housing on this site would increase the housing provision of the parish and enhance its vitality in this respect.

- 5.4 SDLP Policy H12 of the Local plan controls proposals for the conversion of rural buildings to residential use in the countryside (outside defined Development Limits) and stipulates the criteria in which conversions will be permitted, which in this instance is criteria 1 to 7. Criteria 1 is considered in this section. Criteria 2-7 are considered in greater detail in the following sections of this report.
- 5.5 Criterion (1) of Policy H12 relate to the principle and allows proposals for the conversion of rural buildings to residential uses provided:

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

The proposal does not meet this criterion and is therefore contrary to the requirements of the development plan. However, the approaches taken by Policy SP2A(c) and Paragraph 79 of the NPPF are significantly different to that taken in Policy H12 as they do not require the more onerous tests set out in H12 (1), with SP2A(c) merely expressing a preference for employment uses where proposals involve the re-use of a building, and paragraph 79 of the NPPF merely setting out that the re-use of redundant or disused buildings would be acceptable in the countryside. It is therefore considered that Policy H12 (1) of the Selby District Local Plan should be given limited weight due to the conflict between the requirements of Criterion (1) of the policy and the less onerous approach set out both in the Core Strategy and within the NPPF. The remaining criteria of H12 can still be given full weight as it is a saved policy and does not conflict with the advice in the NPPF.

- 5.6 In principle the conversion and re-use of this building to a dwelling within the countryside (outside development limits) is acceptable subject to meeting the requirements of Policy H12 criteria 2-7 and other relevant development plan policies.

### **Character and Appearance of the Locality**

- 5.7 CS Policy SP19 expects development to achieve high quality design and have regard to the local character, identity and context of its surroundings including the open countryside. Selby District Local Plan ENV1 requires (1) the effect of the character of an area, and; (4) the standard of layout, design and materials in relation to the site and its surroundings and associated landscaping to be taken into account. 5.23 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. In this case LP Policy H12 sets out that the conversion of rural buildings will only be permitted subject to criteria. Criterion 3,4,5 require consideration in this case.
- 5.8 LP Policy H12, Criteria 3) of requires that;

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

A structural appraisal has been submitted which concludes that the building is structurally sound and capable of reuse without substantial rebuilding. The condition of the structural elements are stated to be capable of full retention and re-use without additional structural elements being added. The proposal is therefore compliant with this criteria.

- 5.9 H12 Criteria 4) permits the conversion of rural buildings to residential use in the countryside where;

*The proposed use or adaptation will generally take place within the fabric of the building and not require extension alteration, rebuilding and/or extension”*

The existing floor slab will be retained and over boarded with insulation incorporating damp proofing. The existing external walls will be retained with a self-supporting insulated partition sitting on the concrete slab and behind the perimeter walls. The roof materials would be removed and replaced with new profiled steel insulated panels which can be fixed to the existing structural steel purlins without the need for further structural support. The building only currently has one large opening in its gable end. The proposal will result in new windows and doors being inserted on all elevations. Overall, the proposed use will take place within the fabric of the existing building with no further extensions. The changes will be the provision of new roof materials and the insertion of the fenestration where none exists at present. Although these changes are at the upper limit of the degree of alteration which could be accepted under this policy, overall, the level of alterations is considered acceptable and compliant with criteria 4 of H12.

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

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

The existing farm buildings are currently within an established farmyard area with yard area the majority of the surface area in concrete or crushed aggregate. The proposal utilises the existing site access and farmyard without encroaching onto surrounding agricultural land. Parking arrangements are within this area and the garden areas proposed are not excessive and contained within the farmyard area. Subject to satisfactory boundary treatment appropriate to the rural locality, then the scheme is acceptable in these respects.

- 5.11 H12 also advises that to control future extension or alteration and to restrict activities within the curtilage which might be harmful to the character of the area in the future, appropriate conditions can be imposed including the withdrawal of permitted development rights. In this case, it is considered that the curtilage should be limited to the garden area shown on the plans to prevent encroachment into remainder of the surrounding farmyard land which would have a much more urbanising impact on this rural location. The building itself is already a significant size and height with the conversion creating two generous sized four bedroom

dwellings with integral garaging. It is therefore considered appropriate to impose a permitted development restriction to prevent the further extension should be imposed to prevent the further extensions which could result in a very significant size building overly prominent and dominant in size to the adjacent detached dwellings and an obtrusive feature in this rural location. It is also considered that the integral garages should not be converted to living accommodation to ensure there is no need for separate garaging in the future. A condition can be imposed to secure their retention.

- 5.12 The scheme includes a landscaping scheme encompassing the farmyard site areas outside the intended curtilage. These provide for a landscape enhancement scheme which retaining existing hedging and providing new planting. Subject to its implementation, this would enhance the site visually. The conversion and re-use of the existing building will contribute positively to the site and its immediate setting. As such, subject to the conditions described, above the scheme is considered consistent with the aims of SP19 of the CS and ENV1 and H12 of the LP and with the NPPF.

### **Nature Conservation and Protected Species**

- 5.13 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. Policy SP18 of the Core Strategy sets out that the high quality and local distinctiveness of the natural and manmade environment will be sustained by, amongst other things safeguarding and, where possible, enhancing the historic and natural environment.
- 5.14 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.
- 5.15 A Preliminary Ecological Appraisal (PEA) has been submitted which inspected the 4 main farm buildings on the site. This application relates to the largest building on the east side. The development site is in an area of moderate to high quality bat foraging habitat. The PEA however, identified negligible potential risk of the building supporting bats and no evidence of bat roost habitat. The building had one active pigeon nest and a low number of relatively old barn pellets in the back corner of the shed, but this was evidence of roosting not nesting barn owls. A condition is recommended that work is timed to avoid disturbance to nesting birds. Mitigation measures advise the provision of a permanent owl box on site and the incorporation of integral bird boxes into the new build. A condition can be imposed to ensure the advice and recommendations are followed.
- 5.16 Policy SP18 3.b) of the CS also seeks to ensure development seeks to produce a net gain in biodiversity by designing in wildlife and retaining the natural interest where appropriate. The proposed landscaping plans provide within the blue line land area of the farmyard site for a wildlife pond, amenity grass and wildflower mix. This would increase the biodiversity of the site compared with the existing and would therefore comply with Policy SP18 in this respect. It is stated this would be transferred to a management company. As this area would be outside the curtilage of the dwellings and might otherwise be incorporated into the curtilages, it is considered reasonable and necessary to impose a condition requiring the full



details of the scheme and its subsequent management arrangements to be the subject of a planning condition.

- 5.17 Subject to the abovementioned condition and its adherence, the scheme is considered acceptable with respect to the impacts on nature conservation and complies with policies SP15, SP18 of the CS, ENV1 of the LP and with the NPPF.

### **Flood Risk & Drainage**

- 5.18 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.
- 5.19 The site does not lie within the flood zone. In terms of drainage a package treatment plant is proposed with surface water potentially to soakaways. If the surface water disposed of via soakaway system, the IDB have no objection but advise percolation tests will be necessary to establish if the ground conditions are suitable for soakaway drainage throughout the year. The IDB have not required this to be prior to determination and disposal to a watercourse may be an alternative subject to consent from the IDB. A condition can therefore be impose requiring the full drainage details to be agreed.
- 5.20 Overall, subject to the appropriate conditions advised by the IDB for surface and foul water drainage, the development is considered as such the development complies with Policies SP15, SP19 of the Core Strategy, Policy ENV1 of the Local Plan and with the advice in the NPPF.

### **Residential Amenity**

- 5.21 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.
- 5.22 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.
- 5.23 The site is positioned between Oakwood, a large detached farmhouse to the north and brick converted farm buildings to the south. The building to be converted is positioned over 33 meters from Oakwood and over 45 meters from the converted barns. Although there will be new windows in first floor elevations, given the distance and the offset position of the building, it is not considered that overlooking would occur to an unacceptable degree.
- 5.24 In terms of an overshadowing or an overbearing impact, the building already exists, and no extensions are proposed. Moreover, it is positioned sufficient distance so as not to result in any adverse impacts from overshadowing or oppression. The existing adjacent dwelling and barn conversions would not adversely impact on the future amenity for occupants of the resulting dwelling. Given the separation

distances and the curtilage areas around the dwellings, an adequate level of privacy and amenity can be achieved for future occupants.

- 5.25 Overall, it is considered that the proposed development would not result in a significant detrimental impact on the residential amenities of the nearby dwellings 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.

### **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 does make use of an existing access from Wighill Lane and there is ample space for offsite parking provision within the site. The Highways engineer raises no concerns or comments. However, in order to secure a satisfactory scheme for the future provision for the dwelling and to prevent parking on the road which might obstruct adjacent users, it is recommended that a condition be imposed for the parking areas to be provided before the dwellings are occupied and maintained thereafter.
- 5.28 Overall the site achieves a satisfactory standard of parking and access and will not lead to a reduction in road safety conditions in the vicinity. The development complies with LP Policies ENV1 (2), H12 (7), T1 and T2 and with the NPPF.

### **Contamination and Ground Conditions**

- 5.29 Policies ENV2 of the Local Plan and SP19 of the Core Strategy relate to contamination. The application has been reviewed by then Council's contaminated land consultant.
- 5.30 The Council's Contaminated Land Consultant advises that due to the Agricultural buildings and land there could be contamination on a site. Additionally, the proposals involve the introduction of an end use to the site that is more sensitive to the presence of contamination than the existing use. The Councils consultant recommends a condition requiring a Phase 1 assessment to be submitted along with other standard contamination conditions. The applicants have submitted a report, and comments from the consultant are awaited at the time of writing this report. Therefore, as a safeguard a condition has been imposed requiring a contaminated land investigation risk assessment, consisting of a desk top study and site walkover survey is provided before any work commences. It is likely that intrusive site investigations will also need to be carried out in order to demonstrate that the site is safe and suitable for the proposed use. An update will be given at the committee.

- 5.31 Therefore, subject to these and subsequent adherence with any advice the development is acceptable with respect to contamination impacts. 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.

## 6 CONCLUSION

- 6.1 The application is considered to be acceptable in principle and represents appropriate development in the countryside in accordance with Policies SP1 and SP2 of the Core Strategy and national policy including paragraph 79 of the NPPF. Policy H12 (1) of the Selby District Local Plan is given limited weight as the approaches taken by Policy SP2A(c) and Paragraph 79 of the NPPF are significantly different to that taken in Policy H12 as they do not require the more onerous tests set out in H12 (1).
- 6.2 The building is capable of re-use subject to conversion taking place in accordance with the structural appraisal and method statement. The conversion scheme makes use of the existing structure and materials with the main changes being the new roof materials and fenestration insertion. There would be no extensions and future changes which could lead to an overdevelopment and urbanisation of the site can be controlled by condition as discussed in the report. The details of the conversion are satisfactory and would enhance the immediate locality subject to the conditions mentioned in the report to ensure the finer details, landscaping and boundary treatments are appropriate to the locality.
- 6.3 The impacts of the development with respect to the character and appearance of the area, Nature Conservation interests, Flood Risk & Drainage, residential amenity, highway safety and contamination and all other material considerations are considered to be acceptable subject to appropriate conditions.

## 7 RECOMMENDATION

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

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

REASON:

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

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

(To be inserted)

Reason:

For the avoidance of doubt.

03. The development hereby approved shall be carried out in full accordance with the advice and recommendations of the Structural Appraisal and Construction Methodology Method Statement by Chris Finn Architects Ltd.

Reason

To ensure the stability of the building to enable its conversion in accordance with the submitted details because this permission only extends to allow the re-use of the existing building without further replacement or re-construction except those areas as indicated in this Method Statement in accordance with saved policy H12 of the Selby District Local Plan and policy SP2 of the Selby District Core Strategy.

- 04 Before the development commences, a site investigation and risk assessment must be undertaken to assess the nature, scale and extent of any land contamination and the potential risks to human health, groundwater, surface water and other receptors. A written report of the findings must be produced and is subject to approval in writing by the Local Planning Authority. The report must be prepared by a suitably qualified and competent person.

Reason:

To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination saved policy ENV2 Environmental Pollution and Contaminated Land of the Selby District Local Plan and policy SP18 of the Selby District Core Strategy.

04. Submission of a Remediation Strategy where remediation works are shown to be necessary, development (excluding demolition) shall not commence until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the proposed remediation works are appropriate and will remove unacceptable risks to identified receptors saved policy ENV2 Environmental Pollution and Contaminated Land of the Selby District Local Plan and policy SP18 of the Selby District Core Strategy.

05. Prior to first occupation or use, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason:

To ensure that the agreed remediation works are fully implemented and to demonstrate that the site is suitable for its proposed use with respect to land contamination. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990 saved policy ENV2 Environmental Pollution and Contaminated Land of the Selby District Local Plan and policy SP18 of the Selby District Core Strategy.

06. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason:

To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with saved policy ENV2 Environmental Pollution and Contaminated Land of the Selby District Local Plan and policy SP18 of the Selby District Core Strategy.

07. No development approved by this permission shall be commenced until the Local Planning Authority, in consultation with Foss (2008) Internal Drainage Board, has approved a scheme for the disposal of surface water and foul sewage. Any such scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered for the disposal of surface water:

- The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology.
- If soakaways are not feasible, then the Board may consider a proposal to discharge surface water to a watercourse (directly or indirectly).
- For the redevelopment of a brownfield site, the applicant should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140 litres per second per hectare or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from "greenfield sites" taken as 1.4 litres per second per hectare (1:1 year storm).
- Storage volume should accommodate a 1:30 year event with no surface flooding and no overland discharge off the site in a 1:100 year event. A 30% allowance for climate change should be included in all calculations. A range of durations should be used to establish the worst-case scenario.

Reason:

To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding in accordance with policy SP15 of the Selby District Core Strategy.

08. The development shall fully adhere to the recommendations and mitigations set out in section 9.1 the MAB Environment & Ecology Ltd Bat, Bird and Barn Owl

Scoping Survey dated November 2020 and to the Method Statement set out in section 9.2 of the report. This includes the installation of 1 integral bat box and 1 integral Swift brick as well provision of temporary and permanent Barn Owl boxes.

Reason:

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

09. Before work starts on the building conversion, a detailed Landscaping scheme shall be submitted for the written approval of the Local Planning Authority in accordance with the Landscaping Plan submitted. The detailed scheme shall include:-

- (i) Identification of all existing trees and shrubs to be retained setting out measures for their protection throughout the course of development
- (ii) Details of the species, location, planting density and stock size in respect of all tree, hedgerow and shrub planting to include native species suitable to the local area and to provide additional biodiversity benefits.
- (iii) Details of the surface materials for the parking areas and access
- (iv) Details and provision of boundary fencing to separate the landscaped areas from the curtilages of the dwellings.
- (v) All boundary fencing details to be post and rail with indigenous hedgerows
- (vi) A detailed Management Plan for the future retention and maintenance of the landscaped areas of the site.

The agreed scheme shall be implemented in full and thereafter maintained for the lifetime of the development. No work shall take place on site until the agreed measures for tree and hedge protection are in place.

Reason:

To enable the Local Planning Authority to ensure the protection of vegetation on the boundaries of the site, the provision of landscaping and boundary treatments appropriate for the rural locality in the interests of visual amenity and biodiversity in accordance with policy SP 18 of the Selby District Core Strategy.

10. All planting, seeding or turfing comprised in the approved landscape plan and landscaping, tree planting scheme shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or shrubs which die, are removed or become seriously damaged or diseased within the first ten years following completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason - in order to ensure retention of existing boundary trees and hedgerows and the successful implementation of a detailed landscaping scheme in the interests of visual amenity and the character and appearance of the areas and in order to comply with saved Policy ENV1 of the Selby District Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or

re-enacting or amending those Orders with or without modification), no development within Schedule 2, Part 1, Classes A to G inclusive shall take place on the dwellinghouse hereby permitted or within its curtilage.

Reason:

In the interests of the character and appearance of the site and to avoid the extension of this substantial building conversion in the open countryside which could lead to a proliferation of development on the site and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements in accordance with Saved Policy ENV 1 of the Selby District Local Plan.

12. The integral garages shall not be converted to living accommodation without the prior written approval of the local planning authority and shall be permanently retained for a domestic garage for the dwelling.

Reason

In the interests of the character and appearance of the site and to avoid the construction of additional outbuildings in the open countryside which could lead to a proliferation of development on the site and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements in accordance with Saved Policy ENV 1 of the Selby District Local Plan.

## INFORMATIVES

### 1 INFORMATIVE

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

### 2 INFORMATIVE

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

### 3 INFORMATIVE - BIRD NESTING

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September. If it is necessary for work to

commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out by an experienced ecologist. Work should only commence if there are no active nests present.

## **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 2021/0868/FUL and associated documents.**

**Contact Officer: Fiona Ellwood (Principal Planning Officer)**

**Appendices: None**





## List of Planning Applications Determined by North Yorkshire County Council

Application Number	Applicant	Location	Proposal	SDC Recommendation and Date	NYCC Decision and Date
2020/1204/CPO NY/2020/0162/FUL	Mone Bros Civil Engineering Limited	The Quarry Rawfield Lane Fairburn Knottingley West Yorkshire	Consultation on planning application NY/2020/0162/FUL for the purposes of the Infilling and restoration of the former Watergarth Quarry with excavated materials, erection of a temporary single storey site cabin, formation of temporary site access, car parking area and associated hardstanding on land at	No Objections 4 Jan 2021	Permitted 27 July 2022
2020/1249/CPO NY/2020/0183/FUL	Mone Bros Excavations Limited	Eggborough Sand Pit Weeland Road Hensall Selby Goole North Yorkshire DN14 0RL	Consultation on planning application NY/2020/0183/FUL for the purposes of the Proposed infilling and restoration of former mineral workings on land adjacent to Eggborough Sandpit on land at Land to the west of	No Objections 20 Apr 2021	Permitted 26 July 2022
2021/0463/CPO NY/2020/0158/FUL	Hensall CP School	Hensall Primary School Church Lane Hensall Selby North Yorkshire DN14 0QQ	Consultation on planning application NY/2020/0158/FUL for the purposes of the erection of 2 metre high green mesh fencing and 2 metre high pedestrian gate on land at	Objection 19 May 2021	Permitted 15 July 2022

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## List of Planning Applications Determined Under Delegated Powers

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

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2018/1192/COU	Mr Daniel Leadbeater	Land West Of Lowfield Road Hillam Leeds West Yorkshire	Retrospective change of use from paddock to dog walking facility and erection of a timber shelter and storage lean-to	PERMITTED 22 Jul 2022	Mandy Cooper
2019/0961/FULM	Tower Developments Ltd	The Maltings Long Trods Selby YO8 4BG	Proposed conversion and change of use of the ground, first and second floor of The Maltings to 18 flats on the first and second floor and store/plant room on the ground floor following demolition of the squash court. External alterations and new openings. Alterations to existing car park. (Ground floor snooker club and existing 23 apartments to be retained)	PERMITTED 24 Jun 2022	Elizabeth Maw
2020/0315/FUL	Cliff Court (Redcar) Developments Ltd & McDonald's Restaurant	Barnsdale Bar Great North Road Wentbridge Pontefract Wakefield	Proposed erection of a coffee shop/cafe with drive thru, a mixed use restaurant/ takeaway with drive thru, two food units with associated works. Redevelopment of site with new egress, car parking layout, landscaping and charging points	PERMITTED 13 Jul 2022	Elizabeth Maw

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2020/0561/FULM	Drax Power Station	Drax Power Station New Road Drax Selby North Yorkshire YO8 8PQ	Erection of additional buildings at the South Contractors Village within Drax Power Station (retrospective)	PERMITTED 30 Jun 2022	Jenny Tyreman
2020/0680/OUT	Mr G Jackson	Land At Junction With Manor Road Common Lane Beal Selby North Yorkshire	Erection of 4 No. new build dwellings with all matters reserved	REFUSED 11 Jul 2022	Elizabeth Maw
2020/0914/MAN2	Mr Mark Wratten	167 Leeds Road Selby YO8 4JH	Non material amendment of 2020/0236/HPA Demolish existing conservatory and replace with rear 2 storey extension for kitchen - utility and bedroom en suite	PERMITTED 13 Jul 2022	Bethany Harrison
2020/1195/S73	Persimmon Homes (Yorkshire) Ltd	Street Record Low Street Sherburn In Elmet North Yorkshire	Section 73 application to vary conditions 01 (plans) and 02 (landscaping) of planning permission 2017/0234/REMM Reserved matters application relating to appearance, landscaping, layout and scale for the erection of 50 residential dwellings of approval 2012/0399/EIA outline planning application (accompanied by an environmental statement) to include access for the construction of 100 dwellings on phase 2 land between Low Street and Moor Lane granted on 28.03.2018	PERMITTED 20 Jun 2022	Yvonne Naylor
2020/1378/FUL	Mr Michael Clark	Library Station Road Tadcaster LS24 9JG	Replacement of the existing window with pvc	REFUSED 20 Jun 2022	Irma Sinkeviciene

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2021/0145/TCA	Mr Daniel Hardy	Old Manor House Main Street Bilbrough York YO23 3PH	Fell 1 No Blue Atlas Cedar (T1), 1 No Laburnum (T2) and 1 No Variegated Holly (T3) in the conservation area	OBJECTION  5 Jul 2022	Will Smith
2021/0337/OUT	Richard Roberts Ltd	Land Off Main Road Burn Selby North Yorkshire	Outline planning application for the erection of 5 No. residential dwellings with access from West Lane (all other matters reserved)	REFUSED  17 Jun 2022	Martin Evans
2021/0399/FUL	EBCO Holdings Ltd	Riccall Poultry Farm 3 King Rudding Lane Riccall Selby North Yorkshire YO19 6QL	Erection of an agricultural building to accommodate a farm workshop, wet wood store, drying floor, biomass boiler, and a biomass fuel store	PERMITTED  20 Jun 2022	Elizabeth Maw
2021/0539/S73	Miss Deborah Hemingway	Hill Top Farm Main Street Hillam Selby North Yorkshire LS25 5HH	Section 73 application to vary condition 03 (restricting barn to ancillary occupation) of application approved under 2004/1396/FUL for the proposed conversion of barn and stable to additional living accommodation, replacement of existing extension and retrospective application for the replacement of outbuilding granted on 07 January 2005	PERMITTED  22 Jul 2022	Gareth Stent
2021/0715/HPA	Mr Anthony Exley	James Nicolson Square Church Fenton Selby North Yorkshire	Boundary wall with 1750mm piers and timber panel infill (retrospective)	PERMITTED  13 Jul 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0738/HPA	Mr Steven Bassett	28 Brigg Lane Camblesforth Selby North Yorkshire YO8 8HJ	Erection of part two-storey, part single-storey rear extension	REFUSED 12 Jul 2022	Ellis Mortimer
2021/0764/HPA	Mr & Mrs Pemberton	2 Beech Grove Selby North Yorkshire YO8 4AS	Single storey rear extension	PERMITTED 17 Jun 2022	Josh Turner
2021/0772/HPA	Mrs Sally Armstrong	Fulham Farm Cottage Fulham Lane Whitley Goole North Yorkshire DN14 0JL	Erection of a dry stone wall to replace original wooden fence panels, 4 replacement fence panels and pedestrian gate and bin store to be incorporated between the fence panel and dry stone wall (retrospective)	REFUSED 17 Jun 2022	Ellis Mortimer
2021/0807/HPA	Nicholas Dale	62A Westfield Lane South Milford Selby North Yorkshire LS25 5AW	Erection of single storey front, side and rear extensions and a raised decking area	PERMITTED 27 Jun 2022	Bethany Harrison
2021/0969/HPA	Lorna Cheung	10 Papyrus Villas Newton Kyme Tadcaster North Yorkshire LS24 9LX	Two storey rear extension	REFUSED 15 Jun 2022	Mandy Cooper

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0978/FULM	Boom Power Ltd	Land near Osgodby Grange South Duffield Road Osgodby Selby North Yorkshire	Installation of renewable energy generating station comprising ground mounted photovoltaic solar arrays together with substation, transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements	PERMITTED 15 Jul 2022	Gareth Stent
2021/1053/HPA	Mrs Dabbs	School Farm Dam Lane Saxton Tadcaster North Yorkshire LS24 9QF	Erection of a glass canopy to the rear with connection corridor to annex	PERMITTED 15 Jul 2022	Bethany Harrison
2021/1054/LBC	Mrs Dabbs	School Farm Dam Lane Saxton Tadcaster North Yorkshire LS24 9QF	Listed building consent for the erection of a glass canopy to the rear with connection corridor to Annex	PERMITTED 15 Jul 2022	Bethany Harrison
2021/1059/HPA	Mr & Mrs David Sanderson	10 Holmefield Close Brayton Selby North Yorkshire YO8 9LR	Erection of single storey double pitched roof rear extension and extension of detached garage	PERMITTED 28 Jun 2022	Josh Turner
2021/1107/FUL	BYLD Developments Ltd	Land adjacent to Araslie Caudle Hill Fairburn Knottingley North Yorkshire	Erection of two storey detached house with attached double garage	PERMITTED 4 Jul 2022	Elizabeth Maw

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1192/FUL	Mr C Hill	Maple Gardens Nanny Lane Church Fenton Tadcaster North Yorkshire LS24 9RL	Erection of a garden storage building (retrospective)	PERMITTED 20 Jun 2022	Bethany Harrison
2021/1231/FUL	Mr Martin Bellas	Byram Nurseries York Road Burton Salmon Selby North Yorkshire LS25 5JP	Siting of a static caravan for residential use (temporary use) and the provision of a bio-disc treatment plant	PERMITTED 1 Jul 2022	Irma Sinkeviciene
2021/1301/LBC	Specsavers Optical Stores UK	19 Market Place Selby North Yorkshire YO8 4PB	Listed building consent for refurbishment and minor alterations to building	PERMITTED 15 Jul 2022	Bethany Harrison
2021/1311/FUL	Mr & Mrs Collins	Woodlands Farmhouse Moreby Stillingfleet Selby North Yorkshire YO19 6HN	Installation of security gates	PERMITTED 21 Jul 2022	Josh Turner
2021/1326/CPE	Mr Stephen Dagg	Land off Balne Moor Road Balne Selby North Yorkshire	Lawful development certificate for existing siting of 2 container buildings for general storage and the siting of 2 container buildings joined by a link container building which are used to provide welfare accommodation and private recreational leisure and camping facilities, construction of an access track and area of hard standing around the barn	SPLIT DECISION FOR EXISTING CERTIFICATE LAWFUL USE 14 Jul 2022	Elizabeth Maw



Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1368/HPA	Jodie Clarke	Claredene 157 Moor Lane Sherburn In Elmet North Yorkshire LS25 6DX	Side two storey and single storey rear extension	PERMITTED 20 Jun 2022	Bethany Harrison
2021/1405/FUL	Spuds & Berries	Spuds & Berries The Farm Shop Hull Road Hemingbrough Selby North Yorkshire YO8 6EL	Change of use of land for private hire dog exercise area and erection of an outbuilding (Retrospective)	PERMITTED 27 Jun 2022	Gareth Stent
2021/1455/COU	Langley Properties (North) Ltd	Cobblers Cottage Pinfold Hill Wistow Selby North Yorkshire YO8 3UN	Change of use from residential property to holiday let (retrospective)	REFUSED 15 Jul 2022	Jac Cruickshank
2021/1461/FUL	C Adie	Tudor House York Road Cliffe Selby North Yorkshire YO8 6NU	Erection of detached 2 storey dwelling house with integral garage	PERMITTED 14 Jun 2022	Kelly Sweeney
2021/1485/HPA	Mr & Mrs Morley-Jones	Field View Skipwith Road Escrick Selby North Yorkshire YO19 6LT	Annex ancillary to the host dwelling	PERMITTED 23 Jun 2022	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1507/FUL	Kathleen Chisem	Fenholme Selby Road Eggborough Selby North Yorkshire DN14 0LN	Barn conversion with extensions to create new dwelling	PERMITTED 20 Jun 2022	Diane Holgate
2021/1527/HPA	Mr Hattan	1 Firs Court Garden Doncaster Road Whitley Selby North Yorkshire DN14 0HZ	Single storey side extension for workshop and gym	PERMITTED 6 Jul 2022	Ellis Mortimer
2022/0002/HPA	Mr Kristian Best	1A West End Ulleskelf Tadcaster North Yorkshire LS24 9DL	Replacement of existing A-frame tiled roof with a reinforced flat roof which is strong enough to have a small seating area and plants/vegetable boxes and conifers for privacy, installation of a staircase (using same decking and balustrade as the roof along with the structure), installation of decking on the roof with a balustrade around the roof for safety, block up a side door and replace garage door with the same size UPVC patio door (retrospective)	REFUSED 21 Jun 2022	Bethany Harrison
2022/0013/FUL	Mr Ian Mitchell	Central Lodge Thorpe Wood Thorpe Willoughby Selby North Yorkshire YO8 3RG	Installation of new access road and parking arrangements	PERMITTED 22 Jul 2022	Josh Turner

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0044/LBC	Mr & Mrs Smith	Yeomans Farm York Road Cliffe Selby North Yorkshire YO8 6NU	Listed building consent for internal alterations within the roofspace	PERMITTED 19 Jul 2022	Josh Turner
2022/0082/FUL	Mrs Samantha Staker	Ashcroft Poultry Farm Templar Close Whitley Selby North Yorkshire DN14 0HJ	Change of use of agricultural land to equestrian, creation of a menage and erection of stables and land for grazing of horses	PERMITTED 22 Jun 2022	Emma Howson
2022/0110/HPA	Miss Carter	16 Manor Road Tadcaster North Yorkshire LS24 8HP	Raised roof, loft conversion and ground floor side extension	PERMITTED 24 Jun 2022	Bethany Harrison
2022/0113/FUL	Mr Michael Bissett	Barn to the rear of Holly House Chapel Street Hillam Leeds West Yorkshire	Conversion and extension of barn to form 1 no. dwelling, demolition of associated buildings and erection of detached garage	PERMITTED 30 Jun 2022	Emma Howson
2022/0121/S73	Stuart & Margaret Evison	Womersley Park Park Lane Womersley Selby North Yorkshire	Section 73 application to vary condition 02 of planning approval 2011/0468/COU Change of use of shop to use as tea rooms, gallery and shop granted on 12.07.2011 (Application readvertised due to changes to proposed opening times)	PERMITTED 30 Jun 2022	Emma Howson

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0133/HPA	Mr & Mrs Walker	75 Wolsey Croft Sherburn In Elmet North Yorkshire LS25 6DR	Erection of two storey side extension and part single storey rear wrap around extension	PERMITTED 15 Jun 2022	Bethany Harrison
2022/0142/FUL	Mr Dransfield	4-6 New Lane Selby North Yorkshire YO8 4QB	New entrance facing New Lane to provide 3 residential flats at first floor currently occupied by the bar below, replace two elements of glazing in the existing shopfront with folding doors and installation of new retracting canopy above at	PERMITTED 17 Jun 2022	Jac Cruickshank
2022/0158/TELB	Quickline	Fairburn Recreation Centre North Road Fairburn Selby North Yorkshire WF11 9LA	Install 1No 13.5m wooden pole	TELECOMMUNICATIONS - NOT REQUIRED 6 Jul 2022	Ellis Mortimer
2022/0159/ADV	Specsavers Optical Stores UK	19 Market Place Selby North Yorkshire YO8 4PB	Advertisement consent for 3no non-illuminated fascia signs and 1no non-illuminated hanging sign	PERMITTED 15 Jul 2022	Bethany Harrison
2022/0189/FUL	Mr Sam Crampton	Selby Hydroponics West Bank Carlton Selby North Yorkshire DN14 9PZ	Erection of an extension to the existing shed for storage, growing and an office; to be used in connection with the existing use of the shed for retail use and supplying of hydroponic equipment	PERMITTED 15 Jul 2022	Jenny Tyreman

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0204/DOC	Mr Melvyn Mason	Turpin Hall Farm Back Lane Barkston Ash Selby North Yorkshire LS24 9PL	Discharge of conditions 03 (surface/foul water drainage), 04 (contamination), 05 (remediation), 06 (remediation), 10 (materials/method) and 15 (construction management plan) of approval 2019/0804/FUL Proposed conversion of existing barn and outbuildings to create 1no 2 bedroom dwelling, 1no 3 bedroom dwelling and 1no 4 bedroom dwelling with annex and detached garage	PERMITTED 25 Jul 2022	Gareth Stent
2022/0209/HPA	Mr & Mrs Fenwick	45 Auster Bank View Tadcaster North Yorkshire LS24 8BA	Erection of part two/part single storey rear extension, detached garage and installation of new dropped kerb	PERMITTED 4 Jul 2022	Bethany Harrison
2022/0232/OUT	Messrs C S & G R Elliott	Rose Cottage Farm Long Lane Wistow Selby North Yorkshire YO8 3QZ	Outline application with all matters reserved for erection of replacement dwelling and construction of package wastewater treatment plant	PERMITTED 20 Jun 2022	Jac Cruickshank
2022/0236/OUT	Diane Sofer	33 Lowfield Road Barlby Selby North Yorkshire YO8 5ZZ	Outline application with all matters reserved for proposed outline application for a dormer bungalow on land adjacent to	REFUSED 28 Jun 2022	Jac Cruickshank
2022/0262/HPA	Mr J Crowley	32 Wistowgate Cawood Selby North Yorkshire YO8 3SH	Erection of rear first floor extension and single storey extension	PERMITTED 23 Jun 2022	Jac Cruickshank

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0286/FUL	Mr Neil Salmon	21 & 23 Finkle Street Selby North Yorkshire YO8 4DT	Installation of gates at the junction of Robert Street and Finkle Street (retrospective)	PERMITTED 14 Jul 2022	Josh Turner
2022/0290/FULM	Saint-Gobain Glass Industry UK & Ireland	Glassworks Weeland Road Eggborough Selby North Yorkshire DN14 0FD	Retention of three on-site buildings and hardstanding	PERMITTED 14 Jul 2022	Martin Evans
2022/0299/DOC	Persimmon Homes Yorkshire	Staynor Hall Abbots Road Selby North Yorkshire	Discharge of conditions 04 (electric vehicle charging points), 05 (broadband), 06 (engineering drawings) and 08 (construction management plan) of approval 2015/0452/EIA 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   e	CONDITION DECISION 20 Jul 2022	Gareth Stent
2022/0310/DOC	Bellway Homes Limited - Yorkshire Division	Brownfield Site 2 Leeds East Airport Busk Lane Church Fenton Selby North Yorkshire	Discharge of condition 23 (travel plan) of planning permission 2019/0325/FULM Proposed erection of 124 dwellings with open space and associated infrastructure following demolition of existing buildings	CONDITION DECISION 19 Jul 2022	Diane Holgate

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0315/FUL	Mr Ian Fairhurst	1 The Old Orchard Main Road Drax Selby North Yorkshire YO8 8NJ	Change of use from agricultural land to garden use and erection of garden shed	PERMITTED 22 Jun 2022	Emma Howson
2022/0318/HPA	Mr Jason Shipstone	Fusseys Meadow Long Lane Wistow Selby North Yorkshire YO8 3FY	Erection of a single storey link extension and alterations to the fenestration	PERMITTED 14 Jun 2022	Jac Cruickshank
2022/0332/HPA	Mr Darren Wilks	Arcady 4 Lumby Lane Monk Fryston Selby North Yorkshire LS25 5DS	Replacement of existing double garage with garage and garden room with basement and replacement access gates	PERMITTED 30 Jun 2022	Emma Howson
2022/0344/LBC	Mr Neil Salmon	23 Finkle Street Selby North Yorkshire YO8 4DT	Listed building consent for retention of gates at the junction of Robert Street and Finkle Street at 21 and	PERMITTED 17 Jun 2022	Josh Turner

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0346/TPO	Mr Ben Marchant	Weetworth House 39 Low Street Sherburn In Elmet North Yorkshire LS25 6BB	Application for consent to remove lowest limb from 3No Sycamore trees (T1, T4 & T6), remove 2 large diameter stems (0.2m and 0.35m) over the roof of the outdoor building to 1No Sycamore tree (T2), reduce secondary limb of 1No Sycamore tree (T4) by approximately 3.6m, remove 2 lowest limbs, reduce the remaining limb by approximately 2.8 - 3.6m and remove deadwood of 1No Sycamore tree (T7), crown reduce the 2 lowest limbs by approximately 2.4m and middle/upper canopy by approximately 1.8 - 2.4m and remove central dead/dysfunctional stem of 1No Hornbeam tree (T8), reduce the lowest limb to the secondary limb over the boundary fence line, remove secondary limb and lateral prune/reduce canopy to approximately 3m from the rear boundary fence line to 1No Hornbeam tree (T9), remove 2 over-extended limbs of 1No Ash tree (T10) and remove 2 lowest limbs of 1No Ash tree (T11) covered by TPO 10/1986	REFUSED 26 Jul 2022	Bethany Harrison
2022/0347/HPA	Mr Marius Tubis	37 Low Street Sherburn In Elmet North Yorkshire LS25 6BB	Single storey extension to side, porch, boundary walls & blocking up an existing access	PERMITTED 28 Jun 2022	Jordan Fairclough
2022/0360/ADV	Food Plus	47 Gowthorpe Selby North Yorkshire YO8 4HE	Advertisement consent for replacement of 1No illuminated fascia shop sign with a non-illuminated sign (retrospective)	PERMITTED 24 Jun 2022	Jordan Fairclough



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2022/0367/HPA	Mr Keith Lumley	The Old Barn Riccall Lane Kelfield Selby North Yorkshire YO19 6RE	Installation of an array of photovoltaic panels to the south roof of the main section of	REFUSED 18 Jul 2022	Jordan Fairclough
2022/0374/FUL	Mr Paul & Mrs Jane Ward	China Palace London Road South Milford Leeds West Yorkshire LS25 5DP	Erection of 8 dwellings following the demolition of the existing restaurant building (amendment to scheme approved under application 2020/0777/FUL)	PERMITTED 1 Jul 2022	Emma Howson
2022/0376/HPA	Mr Michael Goldsworthy	Coney Garth Selby Road Wistow Selby North Yorkshire YO8 3UT	Erection of a single storey garden room/orangery extension to rear of the property	PERMITTED 15 Jun 2022	Josh Turner
2022/0377/HPA	Mrs Julie Berry	19 Westfield Crescent Tadcaster North Yorkshire LS24 9JQ	Erection of single storey rear extension and an enclosed porch to the front door	PERMITTED 24 Jun 2022	Jordan Fairclough
2022/0388/HPA	Ronnie Finney	The Paddock Hull Road Hemingbrough Selby North Yorkshire YO8 6QJ	Erection of roof extension with 4 No dormer windows	PERMITTED 20 Jun 2022	Jac Cruickshank

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0391/HPA	Mr & Mrs Owen	11 Buttermere Court Selby North Yorkshire YO8 4BD	Demolition of existing conservatory and single storey rear extension	PERMITTED 17 Jun 2022	Josh Turner
2022/0397/S73	Lakeside Energy Storage Limited	Land off New Road Drax Selby North Yorkshire	Section 73 application to vary conditions 02 (approved plans), 03 (colour and finish), 05 (landscaping scheme), 07 (acoustic impact) and 13 (Flood Risk Assessment) of 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	PERMITTED 30 Jun 2022	Jenny Tyreman
2022/0410/HPA	Mr Lukasz Gomkowski	1 Cochrane Street Selby North Yorkshire YO8 8DU	Alterations to include new doors to rear elevation and removal of internal wall	PERMITTED 14 Jun 2022	Jordan Fairclough
2022/0411/TPO	Mr Robert Safford	5 Garrick Close Brayton Selby North Yorkshire YO8 9RL	Application for consent to crown reduce by 25% to 1no Sycamore tree covered by TPO 3/1989	PERMITTED 20 Jun 2022	Josh Turner

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2022/0416/FUL	Mr Eliot Grant	Siddle Farm Selby Road Monk Fryston Leeds North Yorkshire LS25 5ER	Conversion of derelict outbuilding to ancillary accommodation comprising garaging, workshop and studio	REFUSED 14 Jun 2022	Emma Howson
2022/0421/REM	Mr Roger & Mrs Karen Jackson	18 Tranmore Lane Eggborough Selby North Yorkshire DN14 0PR	Reserved matters application including access, appearance, landscaping, layout and scale of approval 2021/0965/OUT Outline application for the erection of a dwelling (with all matters reserved)	PERMITTED 19 Jul 2022	Diane Holgate
2022/0429/FUL	Riccall Parish Council	Recreation Ground Main Street Riccall Selby North Yorkshire	Erection of height restriction barrier	PERMITTED 14 Jul 2022	Josh Turner
2022/0430/HPA	Mr Gavin Bell	29 The Glade Escrick Selby North Yorkshire YO19 6JH	Single storey extension (under existing roof overhang) to south west elevation, pitched roof to replace existing flat roof and erection of single storey detached garage	PERMITTED 21 Jun 2022	Jordan Fairclough
2022/0435/OUT	Ms Jenny West	75 Bridge Close Church Fenton Tadcaster North Yorkshire LS24 9GZ	Outline application for construction of single detached dwelling and associated car parking (all matters reserved)	REFUSED 7 Jul 2022	Irma Sinkeviciene
2022/0438/FUL	Mr Mark Dransfield	16 Market Cross Selby North Yorkshire YO8 4JS	Demolition of lobby, alterations to building, and formation of outside seating area to facilitate conversion of bank (use class E(c)(i)) to restaurant (use class E(b))	PERMITTED 28 Jun 2022	Jac Cruickshank

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2022/0443/S73	Mr Gary Best	The Homestead Main Street Kelfield Selby North Yorkshire YO19 6RG	Section 73 application to vary condition 02 (approved plans) of approval 2021/0844/FUL Erection of two storey detached dwelling with associated external works granted on 24 March 2022	PERMITTED  14 Jun 2022	Jac Cruickshank
2022/0444/FUL	Hare Homes Ltd	Bay Horse Inn York Road Barlby Selby North Yorkshire	Erection of one single dwelling house	PERMITTED  21 Jun 2022	Jac Cruickshank
2022/0445/HPA	Miss Heidi Wilson	7 Alder Close Selby North Yorkshire YO8 8RP	Conversion of integrated garage into a habitable room, installation of a window to replace the garage door and knock through wall to connect with current living area	PERMITTED  28 Jun 2022	Josh Turner
2022/0446/DOC	Legal & General Modular Homes	Site of former Civic Centre Portholme Road Selby North Yorkshire	Discharge of condition 23 (landscape management plan) 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  4 Jul 2022	Linda Drake
2022/0447/DOC	Legal & General Modular Homes	Site of former Civic Centre Portholme Road Selby North Yorkshire	Discharge of conditions 19 (landscaping) and 20 (landscaping) 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  4 Jul 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0458/DOC	HPREF I Konect Investments S.a.r.l & Harworth Group Plc	Former Kellingley Colliery Turvers Lane Kellingley Selby North Yorkshire WF11 8DT	Discharge of conditions 17 (surface water) and 18 (surface water) of planning 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 (135,500s qm) 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 8 Jul 2022	Jenny Tyreman
2022/0460/HPA	Mr & Mrs Stead	38 Wistow Road Selby North Yorkshire YO8 3LY	Erection of rear extension with hipped roof	PERMITTED 7 Jul 2022	Jac Cruickshank
2022/0465/FUL	Skipwith Village Hall Committee	Skipwith Village Hall York Road Skipwith Selby North Yorkshire YO8 5SF	Replacement of existing heating oil tank with new tank to satisfy environmental requirements and two cycle stands which will afford protection to the tank	PERMITTED 21 Jun 2022	Jac Cruickshank
2022/0468/CPE	Anna Jaques	Four Acres Bell Lane Cawood Selby North Yorkshire YO8 3UD	Lawful development certificate for existing use of land as part of a domestic curtilage	REFUSED 14 Jul 2022	Jac Cruickshank

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2022/0469/HPA	Mr & Mrs Thomas Heslop	7 St Marys View Brayton Selby North Yorkshire YO8 9FR	Single storey infill extension to rear of property 4.6m x 2.5m	PERMITTED 7 Jul 2022	Jac Cruickshank
2022/0470/TPO	Simon Benson	Beechwood Main Street Newton Kyme Tadcaster North Yorkshire LS24 9LS	Application for consent to reduce 1No Norway Maple tree (T1) and 1No Beech tree (T2) by approximately 25%, fell 1No Sycamore tree (T3), prune 1No Indian Bean tree (T4) by approximately 2.5m and prune 1No Hawthorn tree (T5) covered by TPO 2/1981 in the conservation area	REFUSED 12 Jul 2022	Bethany Harrison
2022/0474/HPA	Mr Moore	1 Hall Park Barlby Selby North Yorkshire YO8 5XR	Demolition of existing conservatory and erection of conservatory to the rear	PERMITTED 7 Jul 2022	Jordan Fairclough
2022/0477/HPA	Mr Chris Wright	Saxton Grange Doncaster Road Saxton Tadcaster North Yorkshire LS24 9PE	Alterations to garage roof forming a gable end for additional roof height, demolition and rebuilding of cow shed to form kitchen dining room	PERMITTED 12 Jul 2022	Irma Sinkeviciene
2022/0479/HPA	Mr Geoff Nottingham	The Cottage 23 Main Street Monk Fryston Selby North Yorkshire LS25 5EG	Erection of ground floor rear extension	PERMITTED 14 Jul 2022	Ellis Mortimer

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2022/0487/SCN	Plasmor Limited	Concrete Block Works Green Lane Heck Selby North Yorkshire DN14 0BB	Request for a EIA screening opinion for a for the installation of a third kiln together with the installation of supporting plant, buildings and other infrastructure associated with the third kiln, changes to the existing supporting plant, buildings and other infrastructure associated with the existing kilns	EIA NOT REQUIRED  24 Jun 2022	Jenny Tyreman
2022/0488/ADV	Stonegate Pub Company	Swan Hotel 1 Low Street South Milford Selby North Yorkshire LS25 5AR	Advertisement consent for 4 No externally illuminated signs and 2 No non illuminated signs	PERMITTED  17 Jun 2022	Emma Howson
2022/0489/HPA	Lee & Carol Readman	27 Springfield Crescent Kirk Smeaton Pontefract West Yorkshire WF8 3LE	Loft conversion and erection of side extension	PERMITTED  14 Jul 2022	Ellis Mortimer
2022/0491/FUL	Richard Walker	Westbourne House Westbourne Road Selby North Yorkshire YO8 9BZ	Conversion from local authority day care centre (C2) to a 5 bed residential dwelling (C3) plus the erection of a 4 bed dwelling	PERMITTED  16 Jun 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0494/S73	Harmony Energy Ltd.	Rusholme Grange Rusholme Lane Newland Selby North Yorkshire YO8 8PW	Section 73 application to vary conditions 04 (bund and landscaping scheme), 09 (noise, vibration and dust), 12 (visibility splays), 13 (vehicular parking, turning and manoeuvring) and 15 (on-site parking/materials storage area) of approval 2021/1268/S73 Section 73 application to vary condition 02 and 04 of planning permission 2021/0601/FUL Construction of battery energy storage system to provide energy balancing services to the National Grid, including bund and landscaping granted on 03 September 2021 granted on 18 February 2022	PERMITTED 24 Jun 2022	Martin Evans
2022/0495/COU	Mrs Link	Mount Pleasant Farm High Eggborough Lane Eggborough Selby North Yorkshire DN14 0FR	Change of use of land from equestrian use to dog exercise area with associated works	PERMITTED 30 Jun 2022	Emma Howson
2022/0496/HPA	Mr & Mrs Ryan Hudson	The Hollies Main Street Kellington Selby North Yorkshire DN14 0NH	Erection of single storey extension to rear to form ancillary accommodation	PERMITTED 21 Jun 2022	Ellis Mortimer
2022/0498/HPA	Orion Home Ltd	Birchcroft Main Street Appleton Roebuck Selby North Yorkshire YO23 7DN	Erection of summer house to rear garden (retrospective)	PERMITTED 8 Jul 2022	Bethany Harrison



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2022/0504/TPO	Mr Gary Fenkes	25 The Fairway Sherburn In Elmet North Yorkshire LS25 6LN	Application for consent to crown reduce by 30% to 2no Sycamore trees (T1 & T2) covered by TPO 10/1986	PERMITTED 4 Jul 2022	Bethany Harrison
2022/0505/HPA	Mr Kevin Durham	125 Sycamore Road Barlby Selby North Yorkshire YO8 5XD	Remove existing conservatory and build single storey rear extension	PERMITTED 27 Jun 2022	Jordan Fairclough
2022/0507/FUL	Philips 66	Abbeyside Filling Station Bawtry Road Selby North Yorkshire YO8 8NA	Removal of 3 No existing jet wash bays, wash plant room, external refuse compound and relocation of 1 No external locker, installation of 3 No electrical vehicular charge bays and 2 No EVC machines along with associated bollards, floodlights, fencing, new surfacing and white lining, installation of LV cabinet, substation and external refuse compound (2m high c/b timber fence) and relocation of existing external locker to side of building	PERMITTED 27 Jun 2022	Jac Cruickshank
2022/0517/HPA	Mr & Mrs Hillam	Tir Na Nog Pinfold Hill Wistow Selby North Yorkshire YO8 3UN	Two storey rear extension	PERMITTED 15 Jul 2022	Josh Turner
2022/0522/LBC	Mr Ian Dearn	Manor House 61 Main Street Monk Fryston Selby North Yorkshire LS25 5DU	Listed building consent for replacement of existing PVCu gutters and downpipes with cast aluminium black polyester coated traditional pattern half round gutters and downpipes in same positions as existing fittings with fixing brackets using existing bracket locations and holes and discharging into existing gullies	PERMITTED 22 Jul 2022	Ellis Mortimer

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2022/0523/HPA	Mr Dan Preston	4 Pond Street Barlby Selby North Yorkshire YO8 5AS	Loft conversion to include a new picture light window to the existing front gable and 2 No rooflight windows to the rear roof pitch	PERMITTED 8 Jul 2022	Josh Turner
2022/0526/HPA	Mr Dean	52 Low Garth Road Sherburn In Elmet North Yorkshire LS25 6DH	Extension to the side and front	PERMITTED 21 Jun 2022	Bethany Harrison
2022/0527/HPA	Mr Ian Mitchelle	34 Fox Lane Thorpe Willoughby Selby North Yorkshire YO8 9NA	Front porch and 2 storey rear extension and conversion of roof space including erection of dormer windows and increase in ridge height.	PERMITTED 26 Jul 2022	Emma Howson
2022/0528/DOC	Threadneedle Portfolio Services Ltd	Restaurant Three Lakes Retail Park Selby North Yorkshire YO8 8LY	Discharge of condition 03 (noise) of planning permission 2021/1025/FUL The remodelling and re-use of the vacant Frankie and Benny's restaurant to accommodate a mixed-use coffee shop/restaurant selling food and drink for consumption on and off the premises in addition to the reconfiguration of the unit and provision of a drive thru lane and parking and change of use from Class E to Sui Generis (amended description)	CONDITION DECISION 14 Jun 2022	Jac Cruickshank
2022/0529/FUL	Sherburn in Elmet Parish Council	Eversley Park Centre Low Street Sherburn In Elmet North Yorkshire LS25 6DL	Works to widen the entrance to the existing car park to improve visibility, installation of kerbing and a new dedicated footway along the boundary	PERMITTED 8 Jul 2022	Irma Sinkeviciene

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2022/0531/TPO	Mr Chris Baker	Rose Cottage 11 Church Street Riccall Selby North Yorkshire YO19 6PN	Application for consent to crown reduce by 1m to 1no Beech tree covered by TPO 6/2019	REFUSED 27 Jun 2022	Jordan Fairclough
2022/0536/DOC	Mr Craig Elkin	61 Kirkgate Sherburn In Elmet North Yorkshire LS25 6BH	Discharge of Condition 6 (boundary wall) of approval 2020/0938/REM Reserved matters application including appearance, landscaping, layout and scale of approval 2019/0558/OUT Outline application including access (all other matters reserved) for improvements and erection of 3 detached dwellings	CONDITION DECISION 7 Jul 2022	Gareth Stent
2022/0539/DOC	Mr Craig Elkin	61 Kirkgate Sherburn In Elmet North Yorkshire LS25 6BH	Discharge of Conditions 6 (highways), 8 (parking & storage), 9 (boundary wall) and 10 (archaeology) of approval 2019/0558/OUT Outline application including access (all other matters reserved) for improvements and erection of 3 detached dwellings	CONDITION DECISION 7 Jul 2022	Gareth Stent
2022/0540/HPA	Mr Keith Cartwright	15 Chapel Walk Riccall Selby North Yorkshire YO19 6NU	Single storey front porch extension to existing detached dwelling to create additional living accommodation	PERMITTED 12 Jul 2022	Josh Turner
2022/0541/HPA	Mr J Knowles	Tamwood Station Road Riccall Selby North Yorkshire YO19 6QJ	Erection of garage and sunroom	PERMITTED 1 Jul 2022	Diane Holgate

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0546/FUL	Willow Properties (Yorkshire) Ltd	81 Brook Street Selby North Yorkshire YO8 4AT	Erection of enclosed bin store area (retrospective)	PERMITTED 8 Jul 2022	Jordan Fairclough
2022/0547/HPA	Mr & Mrs Sheriston	11 Pasture View Sherburn In Elmet North Yorkshire LS25 6LZ	Garage conversion to gym / study	PERMITTED 4 Jul 2022	Bethany Harrison
2022/0549/DOC	Mr James Walmsley	Lingwood Farm Selby Common Selby YO8 3RN	Discharge of conditions 3 (landscape), 4 (manure management), 5 (silo design) & 6 (materials) of planning permission 2021/0582/FUL Erection of a livestock building with an associated feed silo and attenuation drainage pond (building 1)	CONDITION DECISION 26 Jul 2022	Elizabeth Maw
2022/0550/DOC	Mr James Walmsley	Lingwood Farm Selby Common Selby YO8 3RN	Discharge of conditions 3 (landscape), 4 (manure management), 5 (silo design) & 6 (materials) of planning permission 2021/0583/FUL Erection of a livestock building with an associated feed silo and attenuation drainage pond (building 2)	CONDITION DECISION 26 Jul 2022	Elizabeth Maw
2022/0552/FUL	Punch Pubs	Castle Inn 7 Wistowgate Cawood Selby North Yorkshire YO8 3SH	Installation of new timber framed seating pods and raised timber decking in the car park area of the existing Public House (Retrospective)	PERMITTED 18 Jul 2022	Linda Drake

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0555/HPA	Mr & Mrs A Sturmev	Forge Cottage 1 The Green Wistow Selby North Yorkshire YO8 3FS	Erection of single storey rear extension	PERMITTED 14 Jul 2022	Josh Turner
2022/0557/HPA	Mr & Mrs Marshall	Hall Farm Hall Lane Church Fenton Tadcaster North Yorkshire LS24 9RN	Extension and alteration of existing dwelling	REFUSED 14 Jul 2022	Irma Sinkeviciene
2022/0559/TPO	Mr Martin Hurrell	Bramble House Weedling Gate Stutton Tadcaster North Yorkshire LS24 9BQ	Application for consent to fell 1No Sycamore tree (T1) and 1No Elderberry tree (VG1) covered by TPO 1/2007	PERMITTED 4 Jul 2022	Bethany Harrison
2022/0562/DOC	Mr Jordan Blackburn	Beam House 2 The Quarry Lumby Lane Monk Fryston Selby North Yorkshire LS25 5DS	Discharge of conditions 03 (construction management plan) 04 (contamination), 05 (remediation scheme) and 06 (materials) of approval 2021/0808/FUL Demolition of existing dwelling and new build 5 bed dwelling with renovation works to garage	CONDITION DECISION 8 Jul 2022	Emma Howson
2022/0568/HPA	Mr Cliff Potts	9 Chestnut Croft Hemingbrough Selby North Yorkshire YO8 6UD	Pitched roof on existing flat roof garage	PERMITTED 14 Jul 2022	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0570/TCA	Andrew Peniston	1 Barn Cottages Main Street Womersley Selby North Yorkshire DN6 9AY	Application for consent to fell 1No Sycamore tree in the conservation area	REFUSED 21 Jul 2022	Ellis Mortimer
2022/0577/HPA	Mr David Seaman	92 Park Lane Barlow Selby North Yorkshire YO8 8JQ	Two storey rear extension to existing dwelling to create additional living accommodation	REFUSED 18 Jul 2022	Jordan Fairclough
2022/0581/FUL	Phillip Kelly	Hawthorne House Hull Road Hemingbrough Selby North Yorkshire YO8 6QJ	Erection of a 3 bed detached dwelling on land to the east	REFUSED 8 Jul 2022	Jac Cruickshank
2022/0582/HPA	Mr Andrew Browne	78 St Marys Avenue Hemingbrough Selby North Yorkshire YO8 6YY	Two storey side extension and single storey rear extension (retrospective)	PERMITTED 14 Jul 2022	Jordan Fairclough
2022/0583/TCA	Mr Chris Jackson	Fairholm 9 Wistowgate Cawood Selby North Yorkshire YO8 3SH	Application for consent to crown reduce 3No Ash trees (T1, T3 & T4) and 1No Poplar tree (T5) by 33% and fell 1 No Poplar tree (T2) in the conservation area	REFUSED 15 Jul 2022	Jordan Fairclough

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0587/HPA	John Roe	27 Sand Lane South Milford Selby North Yorkshire LS25 5AU	Erection of single storey outbuilding	PERMITTED 14 Jul 2022	Jordan Fairclough
2022/0594/DOC	St Francis Group	Eggborough Power Station Selby Road Eggborough Selby North Yorkshire DN14 0BS	Discharge of condition 14 (Employment and Skills Framework Statement) of approval 2019/1343/EIA Hybrid application for demolition of part of the former power station and ancillary buildings and its redevelopment (i) access into the site, internal roads, employment units, car parking, drainage infrastructure and landscaping and (ii) outline for the scale of redevelopment of the remainder of the site for employment floorspace, proposed buildings with ridge being between 9.5 metres and 24.5 metres, car parking, drainage infrastructure and strategic landscaping	CONDITION DECISION 20 Jun 2022	Gareth Stent
2022/0609/DOC	Mr Tom Tate	Peggy Ellerton Farm Chantry Lane Hazlewood Tadcaster North Yorkshire LS24 9NH	Discharge of condition 09 (materials) of planning permission 2019/0029/FUL approved at appeal (APP/N2739/W/20/3251897) Proposed erection of a replacement dwelling	CONDITION DECISION 20 Jul 2022	Irma Sinkeviciene
2022/0610/MAN2	Mr Sean Duggan	Hope Cottage The Green Stillingfleet York North Yorkshire YO19 6SF	Non material amendment of 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	PERMITTED 16 Jun 2022	Jac Cruickshank

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0611/DOC	Mr Christopher Carmichael	Church Fenton Hall Station Road Church Fenton Tadcaster North Yorkshire LS24 9RA	Discharge of Condition 10 (highways) of approval 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 on land South Of Common Lane Church Fenton Tadcaster North Yorkshire	CONDITION DECISION 14 Jun 2022	Yvonne Naylor
2022/0612/HPA	Mr & Mrs Parry	Hall Garth Main Street Kelfield Selby North Yorkshire YO19 6RG	Single storey rear/side extension	PERMITTED 22 Jul 2022	Jordan Fairclough
2022/0625/HPA	Mr & Mrs Andrew	12 Tune Street Osgodby Selby North Yorkshire YO8 5HL	Proposed garden room/workshop	PERMITTED 21 Jul 2022	Jordan Fairclough
2022/0626/DOC	Leodis Homes Ltd	191 Leeds Road Selby North Yorkshire YO8 4JH	Discharge of Conditions 06 (construction management plan) of approval 2020/1380/FUL Demolition of existing bungalow and erection of a new 4 bed detached dormer bungalow	CONDITION DECISION 23 Jun 2022	Jac Cruickshank



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0629/HPA	Mr Jeffrey Smallman	8 Barff Close Brayton Selby North Yorkshire YO8 9ES	Front extension walk in bay window	REFUSED  21 Jul 2022	Jordan Fairclough
2022/0635/COU	Mr Robin Parkin	Hagg Bush Farm Common Lane Hambleton Selby North Yorkshire YO8 9JW	Application for change of use of milk processing building to workshop/storage for classic car repair and restoration including associated works	PERMITTED  20 Jul 2022	Emma Howson
2022/0642/TELB	Three (UK) Limited	Approach Farm Hollicarrs York Road Escrick York North Yorkshire YO19 6EE	Removal and replacement of 3no antennas and associated ancillary works thereto	TELECOMMUNICATIONS - NOT REQUIRED  21 Jun 2022	Jac Cruickshank
2022/0653/HPA	Chloe Norton	Boma York Road Skipwith Selby North Yorkshire YO8 5SF	Internal alterations to existing property and erection of a detached double garage	PERMITTED  22 Jul 2022	Jordan Fairclough
2022/0656/COU	NRH Properties	Portland Lodge Main Street Hemingbrough Selby North Yorkshire YO8 6QF	Change of use from Class E - GP surgery to Sui Generis - hair and beauty salon	PERMITTED  22 Jul 2022	Jac Cruickshank

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0658/S73	Willow Luxury Kitchens	Willow Developments (Howden) Ltd 14 Selby Business Park Oakney Wood Road Brayton Selby North Yorkshire YO8 8LZ	S73 application to remove condition 1 of planning permission ref 2018/0147/COU to enable the premises to be used for purposes falling with classes B8 and E1 of the Town & Country Planning Use Classes Order	PERMITTED  22 Jul 2022	Jac Cruickshank
2022/0659/SCN	Caddick Developments	Land off Station Road Carlton Selby North Yorkshire	EIA Screening assessment for proposed residential development on Land East of Station Road	EIA NOT REQUIRED  20 Jun 2022	Martin Evans
2022/0671/TCA	Mr Benson	Orchard House 3 Wistowgate Cawood Selby North Yorkshire YO8 3SH	Application for consent to fell 1 No Spruce tree in the conservation area	PERMITTED  7 Jul 2022	Jac Cruickshank
2022/0672/DOC	Fenton Flyer Ltd	The Fenton Flyer Main Street Church Fenton Tadcaster North Yorkshire LS24 9RF	Discharge of condition 02 (waste management plan) of planning permission 2020/1124/COU Change of use of garage to hot food takeaway and external alterations to form door, window, fascia board for signage and flue (retrospective)	CONDITION DECISION  20 Jul 2022	Irma Sinkeviciene
2022/0673/TPO	Square Tree	115 High Street South Milford Selby North Yorkshire LS25 5AQ	Crown lift to 5 m, 1 m tip reduction to small section of canopy and removal of branches which are obstructing the street light to 1 No Sycamore (T1) protected by TPO 9/2000	PERMITTED  15 Jul 2022	Jordan Fairclough

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0678/TPO	Gwyneth Stephenson	Holy Trinity Church Church Street Barkston Ash Tadcaster North Yorkshire LS24 9PJ	Crown clean removing any dead or defective wood and sympathetically reduce crown by approximately 15% to 1 No Beech tree protected by TPO No 4/1996	REFUSED 15 Jul 2022	Jordan Fairclough
2022/0701/TCA	Mr Scott Clayton	Thorganby House Main Street Thorganby Selby North Yorkshire YO19 6DB	Application for consent to fell 1No Horse Chestnut tree (T1) in the conservation area	REFUSED 21 Jul 2022	Jordan Fairclough
2022/0702/TCA	Mrs C Pilcher	The Old Rectory Main Street Bilbrough Selby North Yorkshire YO23 3PH	Application for consent to fell 1No Golden Leylandii tree (T1) and 1No Ash tree (T2) and remove the dead section within the middle/upper canopy of 1No Lawson Cypress tree (T3) in the conservation area	PERMITTED 14 Jul 2022	Jordan Fairclough
2022/0712/TCA	Cawood Parish Council	Pump House Old Road Cawood Selby North Yorkshire	Application for consent to fell 1No Ornamental Cherry tree in the conservation area	PERMITTED 25 Jul 2022	Jordan Fairclough
2022/0716/DOC	Kyme Homes	Meadow Field Farm Mill Lane Camblesforth Selby North Yorkshire	Discharge of condition 2 (materials) of appeal approval APP/N2739/A/06/2019378/NWF of 2005/0677/FUL (8/23/7E/PA) for the erection of 4 No. dwellings and alterations to existing bungalow	CONDITION DECISION 12 Jul 2022	Emma Howson

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0717/DOC	GL03 Limited	Land south of Common Lane Church Fenton Tadcaster North Yorkshire	Discharge of condition 02 (materials) of planning permission 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	CONDITION DECISION 20 Jun 2022	Yvonne Naylor
2022/0720/MAN2	Luke Butler	26 White Street Selby North Yorkshire YO8 4BP	Non material amendment of 2021/0817/HPA Single storey side extension including relocation of principle entrance to permit wheelchair access	PERMITTED 7 Jul 2022	Josh Turner
2022/0749/DOC	Carl Clayton	Intake Farm Main Street Ulleskelf Tadcaster North Yorkshire LS24 9DU	Discharge of condition 05 (surface water) of approval 2022/0395/FUL Erection of an agricultural building	CONDITION DECISION 20 Jul 2022	Irma Sinkeviciene
2022/0782/TNO2	Mr Philip Burden	Beech Grange Selby Road Wistow Selby North Yorkshire YO8 3UT	Five day notice to fell 1No White Poplar tree covered by TPO 14/1992	PERMITTED 28 Jun 2022	Linda Drake

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0836/MAN2	Mr Phil Marsh	Moorlands 6 Fostergate Cawood Selby North Yorkshire YO8 3TA	Non-material amendment of 2021/1367/HPA. The enclosed space is to be extended from 700mm to 790mm and the space under the canopy reduced from 700mm to 560mm. Overall, slight reduction in depth from 1400mm to 1350mm.	PERMITTED  25 Jul 2022	Jac Cruickshank
2022/0877/TNO2	Mr Jonathan Boddy	Land adjacent to The Orchards Church Street Church Fenton Tadcaster North Yorkshire	Five day notice to remove failed limb and reduce branch stub to appropriate pruning angle to 1No Ash tree covered by TPO 2/2001	PERMITTED  21 Jul 2022	Jordan Fairclough

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## **Glossary of Planning Terms**

### **Community Infrastructure Levy (CIL):**

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

### **Curtilage:**

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

### **Environmental Impact Assessment (EIA):**

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

### **National Planning Policy Framework (NPPF):**

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

### **Permitted Development (PD) Rights**

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

### **Previously Developed Land (PDL)**

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

### **Planning Practice Guidance (PPG)**

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

### **Recreational Open Space (ROS)**

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

## **Section 106 Agreement**

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

## **Site of Importance for Nature Conservation**

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

## **Site of Special Scientific Interest (SSI)**

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

## **Scheduled Ancient Monument (SAM):**

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

## **Supplementary Planning Document (SPD)**

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

## **Tree Preservation Order (TPO):**

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

## **Village Design Statements (VDS)**

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



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# Substitute Councillors 2022-23

	Chris Pearson Conservative	Hambleton	<a href="mailto:cpearson@selby.gov.uk">cpearson@selby.gov.uk</a>	01757 704202
	Richard Musgrave Conservative	Appleton Roebuck and Church Fenton	<a href="mailto:rmusgrave@selby.gov.uk">rmusgrave@selby.gov.uk</a>	-
	Tim Grogan Conservative	South Milford	<a href="mailto:tgrogan@selby.gov.uk">tgrogan@selby.gov.uk</a>	07375 676804
	David Buckle Conservative	Sherburn in Elmet	<a href="mailto:dbuckle@selby.gov.uk">dbuckle@selby.gov.uk</a>	01977 681412
	Keith Franks Labour	Selby West	<a href="mailto:kfranks@selby.gov.uk">kfranks@selby.gov.uk</a>	01757 708993
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