



Meeting: **PLANNING COMMITTEE**  
Date: **WEDNESDAY, 7 SEPTEMBER 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 - 8)**

To confirm as a correct record the minutes of the Planning Committee meeting held on 17 August 2022.

5. **Planning Applications Received (Pages 13 - 14)**
  - 5.1. **2022/0031/EIA - Selby Station, Selby (Pages 15 - 56)**
  - 5.2. **2022/0032/LBC - Selby Station, Selby (Pages 57 - 68)**
  - 5.3. **2022/0188/FUL - Land Off Main Street, Skipwith, Selby (Pages 69 - 82)**

*Janet Waggott*

**Janet Waggott, Chief Executive**

<b>Dates of next meetings (2.00pm)</b> Wednesday, 5 October 2022
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#### **Recording at Council Meetings**

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# Agenda Item 4



## Minutes

### Planning Committee

Venue: Council Chamber - Civic Centre, Doncaster Road, Selby,  
YO8 9FT  
Date: Wednesday, 17 August 2022  
Time: 2.00 pm

Present: Councillor M Topping in the Chair  
  
Councillors C Richardson (Vice-Chair), I Chilvers, K Ellis,  
G Ashton, R Packham, P Welch, J Duggan and D Mackay

Officers Present: Martin Grainger – Head of Planning, Hannah Blackburn –  
Planning Development Manager, Glenn Sharpe – Solicitor,  
Fiona Ellwood – Principal Planning Officer, Emma Howson  
– Senior Planning Officer, Elizabeth Maw – Senior Planning  
Officer, Gina Mulderrig – Democratic Services Officer

Public: 2

#### **11 APOLOGIES FOR ABSENCE**

No apologies for absence had been received.

#### **12 DISCLOSURES OF INTEREST**

The Chairman declared a non-prejudicial interest in agenda item 5.4, 2021/0868/FUL - Oakwood Barns, Main Street, Healaugh as the speaker for the item was a client of the Chairman's employer. The Chairman confirmed that he had no connection to the item in question, but that he had declared the interest to the Solicitor and would not leave the meeting during consideration thereof.

#### **13 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 the order of the agenda had been amended so that the item 5.4, 2021/0868/FUL - Oakwood Barns, Main Street, Healaugh, would be taken first with the listed order continuing thereafter.

## 14 MINUTES

The Committee considered the minutes of the Planning Committee meeting held on 6 July 2022.

### RESOLVED:

**To approve the minutes of the Planning Committee meeting held on 6 July 2022 for signing by the Chairman.**

## 15 PLANNING APPLICATIONS RECEIVED

The Planning Committee considered the following planning applications.

### 15.4 2021/0868/FUL - OAKWOOD BARNs, MAIN STREET, HEALAUGH

**Application:** 2021/0868/FUL

**Location:** Oakwood Barns, Main Street, Healaugh, Tadcaster

**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.

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

Members noted that the application was for the conversion of an agricultural building to 2 dwellings, removal of concrete hardstandings and impermeable outside storage and circulation areas, and the provision of car parking and landscaping.

The Committee considered the Officer Update Note which recommended that, following re-consultation with North Yorkshire County Council Highways due to development of adjacent buildings, an additional condition be imposed on the proposal to ensure a satisfactory means of access to the site from the public



highway. The condition stated that the development must not be brought into use until access had been constructed in accordance with the Specification for Housing and Industrial Estate Roads and Private Street Works, and the verge and/or footway surfacing was constructed in accordance with approved details.

The Committee asked numerous questions of the Officer about why the dwellings were not permitted ancillary buildings such as garages and why permitted development rights were curtailed.

Officers explained that the scale of the development in an isolated area was already substantial and further building would put pressure on the curtilage.

Members asked for clarification on the material used for cladding and how the construction of the building complied with Criteria 4 of Selby District Local Plan H12 Policy given the scale of new materials required.

Officers stated that existing green corrugated sheet cladding would be reused and that while the development did reach the upper limits of alteration specified in the Selby District Local Plan, enough of the existing material would be retained to comply and additional materials would be necessary to meet building regulations.

Jennifer Hubbard, agent, was in attendance at the meeting and spoke in support of the application.

Ms Hubbard referred to the contamination conditions and requested that the application be deferred to allow time for the contamination consultant to review the additional information submitted and following receipt of comments, which may result in a reduction in the number of contamination conditions, that authority to approve the application be delegated to the Head of Planning.

Officers agreed that this approach would be acceptable as the Council's contamination Consultant had been reconsulted following receipt of additional information and those comments were awaited at the time of this meeting.

Members debated the application and expressed no concerns with the validity of the application.

It was proposed and seconded that the application be

APPROVED; a vote was taken on the proposal and was carried.

**RESOLVED:**

**That authority to approve the application be delegated to the Head of Planning subject to revision to the contamination conditions as advised by the Councils contamination consultant and subject to the condition set out in paragraph 7 of the report and the Officer Update Note.**

**15.1 2022/0381/COU - BRAEMAR, WEELAND ROAD, EGGBOROUGH, SELBY**

**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 the Planning Committee due to 3.8.9(b)(vi) of the Council's Constitution as more than 10 letters of representation had been received which raised material planning considerations; Officers were recommending approval contrary to the representations received.

It was noted that the application had previously been brought before committee at the meeting on 6 July 2022 and had been deferred for a site visit to allow Members to assess the provision of parking spaces, management of the scheme and the impact of the on-street parking.

Members noted that the application was for the change of use from C3 to C2 to be a children's home for four children aged between eight and eighteen, though the Officer did confirm that Use Class C2 if permitted would allow a residential institution.

The Committee considered the Officer Update Note which set out the comments received from Eggborough Parish Council who had raised objections to the application, which highlighted a lack of off-street parking, the amount of visitor parking required and the effect on traffic safety in the village.

The Committee asked numerous questions of the Officer about the existing off-street car parking spaces at the property, the number of spaces required for staff and

whether additional parking spaces had been sought.

The Officer confirmed that the property has three off-street parking spaces and a garage, and that the applicant had stated the maximum number of parking spaces required at any one time for staff would be four. It was further confirmed that this did not include a vehicle for staff to transport residents, and that no additional parking was being considered in this application

Members debated the application further and made the point that the property was a residential building and as such did not contravene any Development Plan policies that would justify the refusal of the application due to parking issues. Members stated that the highway adjacent to the property had no restrictions imposed and could be used for parking, and in terms of any subsequent issues these would be a matter for North Yorkshire County Council Highways Enforcement Team or the Police and therefore had no bearing on the decision regarding this application.

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

**RESOLVED:**

**That the application be GRANTED subject to the conditions set out in paragraph 7 of the report.**

**15.2 2021/1298/FUL - BRIDGE VIEW, HIRST ROAD, CARLTON**

**Application:** 2021/1298/FUL

**Location:** Bridge View, Hirst Road, Carlton, Selby

**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.

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

Members noted that the application was for the 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

The Committee considered the Officer Update Note which set out that the recommendation in the report was to GRANT subject to receiving no objections during the publicity period. The publicity period expired on 5 August 2022 and the new recommendation is to GRANT subject to conditions. An updated site plan with a reduced number of pitches was displayed and an Additional Condition detailed to ensure that the retained trees were protected from damage from underground works.

The Committee asked questions of the Officer regarding the number of lodges already onsite and the nature of the adjacent property.

The Officer confirmed that the owner of the site had purchased one lodge that was present at the property, but it had not yet been situated according to the proposed plan. The Officer explained the adjacent property was residential with the land to the rear being used as a camping and touring caravan site.

Members debated the application further and expressed support for the application as it was considered to be a good example of diversification.

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

**RESOLVED:**

**That the application be GRANTED subject to the conditions set out in paragraph 7 of the report and the Officer Update Note.**

**15.3 2021/1360/FUL - OLD PASTURE PARK, YORK ROAD, STILLINGFLEET**

**Application:** 2021/1360/FUL

**Location:** Old Pasture Park, York Road, Stillingfleet, Selby

**Proposal:** Change of use of land for the siting of four shepherd huts and associated works (part retrospective).

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

Members noted that the application was for the change of use of land for the siting of four shepherd huts and associated works.

The Committee considered the Officer Update Note which set out that the publicity period for the application expired after this meeting of the Committee, at 12 midnight on the 17 August 2022. Members were advised that should they be minded to approve, the application would be granted under delegated authority to the Chairman of Planning in conjunction with the Head of Planning.

The Committee asked the Officer to clarify which part of the application was retrospective and whether there was an amenity block onsite.

The Officer confirmed that two of the proposed four shepherd's huts were already in place and required retrospective approval and the final two were yet to be situated. It was further confirmed that no amenity block was present or planned as each hut had its own bathroom facilities and would be plumbed into a package treatment plant.

Members debated the application further and expressed their support for the application due to it being a sustainable development that would promote tourism and add to the economy in the area, whilst having a very low impact on the local countryside.

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

**RESOLVED:**

**That the application be GRANTED subject to the conditions set out in paragraph 7 of the report.**

The meeting closed at 2.57 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)

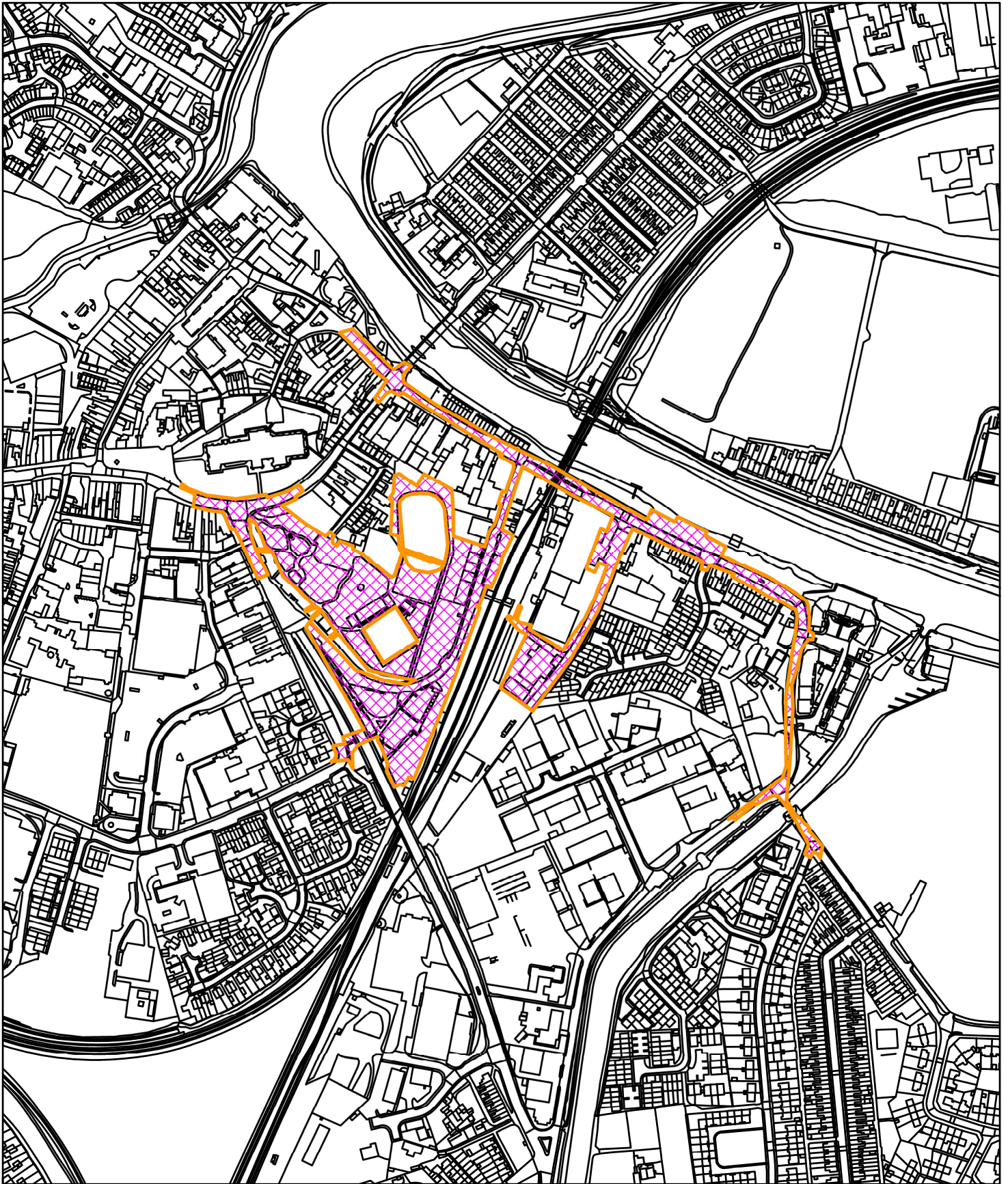
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# Agenda Item 5

Items for Planning Committee – 7 September 2022

Item No.	Ref	Site Address	Description	Officer	Pages
5.1	2022/0031/EIA	Selby Station Station Road Selby North Yorkshire YO8 4NW	External and associated internal alterations to Selby rail station, demolition in a conservation of the part of the station building, Selby Business Centre, the Railway Sports and Social Club, James Williams House, boundary walls along Ousegate at the entrance to Cowie Drive, and lean-to at the railway goods shed. Reconfiguration of the bus station, highway alignments along Station Road, Ousegate, the Crescent/Park Street Junction. Public realm and landscaping improvements at the Wharf on Ousegate, Station Road and Selby Park. The creation of an underpass tunnel beneath Bawtry Road and creation of a new surface car park at Cowie Drive and new pedestrian and cycle access into the station from Cowie Drive. Inclusion of new bus stands, street furniture and EV bus charging points.	LIDR	15 – 56
5.2	2022/0032/LBC	Selby Station Station Road Selby North Yorkshire YO8 4NW	Listed building consent for alterations to the Grade II listed Selby Railway Station including the demolition of the existing mid-twentieth-century station building, the construction of a replacement new pavilion style station building, creation of new access points and associated works	LIDR	57 – 68
5.3	2022/0188/FUL	Land Off Main Street Skipwith Selby North Yorkshire	Change of use of land from agricultural to recreational area with new perimeter timber fence to 2 No sides with double gates, new pedestrian access and 3 No new rustic timber benches	EMHO	69-82

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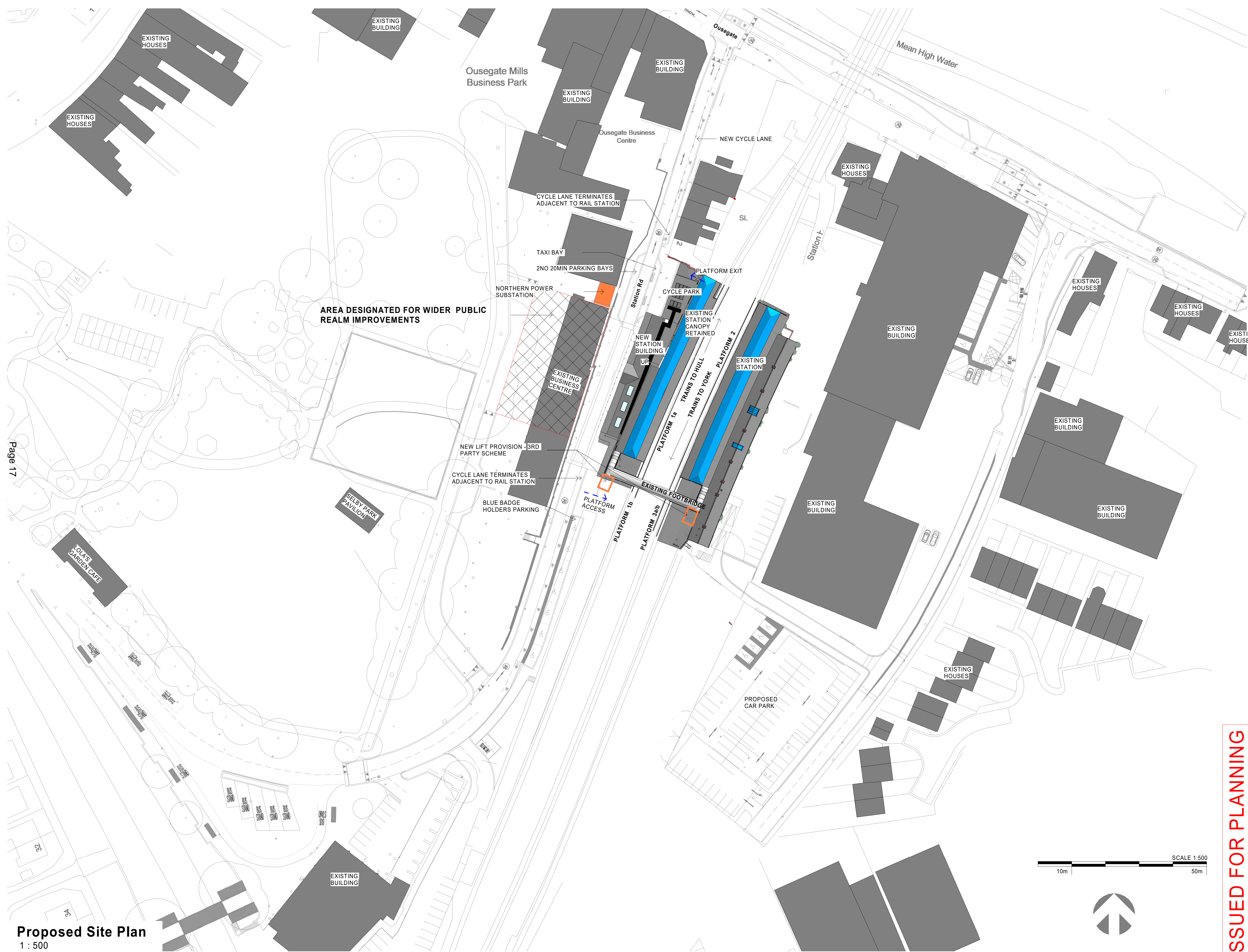


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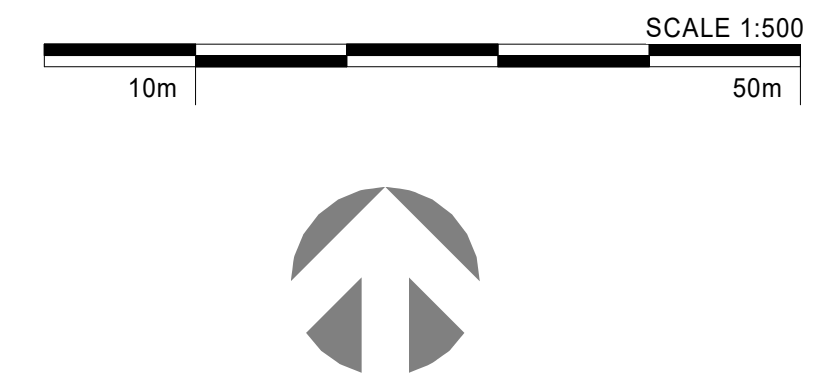


Rev	Date	By	Description
P1	09/06/2021	SE	Preliminary issue
P2	01/10/21	SE	Roof plan updated to latest design
P3	05/11/21	RH	Updated further to discussions with Engineers - Crestory Wall adjusted
D01	02/12/21	SE/RH	Issued for DR
A01	17/12/21	SE/RH	Issued for GRIP Stage 4 Review
P4	07/01/22	SE/RH	Issued for Planning
P5	11/01/22	RH	Red line boundary information removed for clarity



Page 17

**Proposed Site Plan**  
1 : 500



# SGP

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Selby Station, Station Road, Selby, YO8 4NW

Drawing Name:  
PROPOSED SITE PLAN

Drawing Stage: **PLANNING**

Status: **S3 - SUITABLE FOR REVIEW AND COMMENT**

SGP File Ref: 20-098

20-098 07/30/21 SE Leeds 1:500@A1 P5

SGP Project No: Date: Drawn: Team: Scale: Rev:

Drawing Number:

**20098-SGP-SEL-ZZ-DR-A- 131001**

Project Code Originator Volume Level Type Role Number

**ISSUED FOR PLANNING**

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**Report Reference Number 2022/0031/EIA**

**To: Planning Committee**  
**Date: 7<sup>th</sup> September 2022**  
**Author: Linda Drake (Planning Project Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2022/0031/EIA	PARISH:	Selby Town Council
APPLICANT:	North Yorkshire County Council	VALID DATE: EXPIRY DATE:	17th January 2022 30 <sup>th</sup> September 2022
PROPOSAL:	External and associated internal alterations to Selby rail station, demolition in a conservation of the part of the station building, Selby Business Centre, the Railway Sports and Social Club, James Williams House, boundary walls along Ousegate at the entrance to Cowie Drive, and lean-to at the railway goods shed. Reconfiguration of the bus station, highway alignments along Station Road, Ousegate, the Crescent/Park Street Junction. Public realm and landscaping improvements at the Wharf on Ousegate, Station Road and Selby Park. The creation of an underpass tunnel beneath Bawtry Road and creation of a new surface car park at Cowie Drive and new pedestrian and cycle access into the station from Cowie Drive. Inclusion of new bus stands, street furniture and EV bus charging points.		
LOCATION:	Selby Station Station Road Selby North Yorkshire YO8 4NW		
RECOMMENDATION:	DEFER to Head of Planning to GRANT following the end of the re-publicity period required under Regulation 25 following received of further information		

This application is brought before Planning Committee as it is accompanied by an Environmental Impact Statement. The application form also cites the Council as part applicant.

## 1. INTRODUCTION AND BACKGROUND

### Site and Context

- 1.1 This application seeks planning permission for the redevelopment and regeneration of the Selby Station Gateway area under the Transforming Cities Fund (TCF). The site comprises an area centred on the railway and bus stations and includes Selby Park to the north, Ousegate and the disused wharf to the east and the canal bridge at Denison Road to the south-east. The site is approximately 3.5ha in size. The proposal seeks a series of improvements to Selby Station which includes a new station building, a new public plaza, improvements to Selby Park, improved linkages between the bus and train stations and the town centre in addition to improved pedestrian and cycle access across the remainder of the site.
- 1.2 The site borders the Selby High Street Heritage Action Zone (HAZ) to the north, which coincides with this application along Ousegate/New Street junction, New Street, The Crescent and the northern end of Park Street.
- 1.3 The northern part of the site lies within the Selby Town Conservation Area which includes Selby Park and the station and extends to the northern bank of the river. Selby train station is a Grade II listed building and there are other designated and non-designated heritage assets within and adjoining the site. Selby Abbey (Grade I listed) lies to the north. Selby Park is allocated as both recreational open space and local amenity space. The site is surrounded by a mix of commercial and residential uses with the main residential areas to the east of the site, to the east of the station entrance on Station Road, Ousegate. The Haven and to the west on Park Street to the west of Bawtry Road.

## **The Proposal**

- 1.4 The proposal can be split into several elements:

### **SELBY STATION GATEWAY**

- Replacement station entrance building to include cycle storage (this is also subject to a separate application for Listed Building Consent)
- Demolition of Selby Business Park and creation of a new public plaza
- New planting within Selby Park, provision of pedestrian link across the park between the station and town centre, removal of two car parking spaces from car park

#### **Station Road**

- Station Road is to be made one-way (northbound towards Ousegate), with provision of new southbound (towards bus station) contraflow cycle lane, widened pedestrian footways, new road markings and 20mph speed limit.
- New EV charging bays to be provided along Station Road

#### **Portholme Road Underpass**

- New pedestrian and cycle underpass under Bawtry Road between Portholme Road to Station Road and removal of existing steep steps

#### **Bus Station**

- Reconfiguration of bus station to allow bus to exit forward from bus stands and new bus shelters
- New footway through the site linking Selby Park and the proposed underpass
- Demolition of the Railway Club building to allow for improved bus turning and car park

### Crescent Street Junction Upgrades

- Junction alterations to widen existing crossing and reduce crossing distance
- Changes to the signal timings to improve junction efficiency

### **OUSEGATE ACTIVE TRAVEL CORRIDOR**

#### Wharf Public Realm

- Creation of a public realm/event space at the disused wharf on the River Ouse

#### Ousegate and Shipyard Road

- New bidirectional segregated cycle lanes and footway widening to the north of the carriageway along Ousegate between Cowie Drive, Station Road and the A19 Toll Bridge junction.
- One-way traffic system between Cowie Drive and Ousegate beneath the existing rail bridge, use of existing southbound carriageway as cycle track
- Closure of Denison Road Canal Bridge to vehicles to reduce traffic flows along Shipyard Road and Ousegate in order to encourage cyclists to use the road (designated Trans Pennine Trail, NC62 and NC65 routes)
- Junction reconfiguration/ signal upgrade at the Ousegate / A19 junction to increase pedestrian crossing opportunities and safety

### **EASTERN STATION ACCESS AND COWIE DRIVE SURFACE CAR PARK**

- Demolition of James William House and creation of a new station surface carpark to the east of the station on Cowie Drive (including EV charging bays and disabled parking provision)
- New pedestrian and cycle access to Selby Train Station platforms 2 and
- Resurfacing of Cowie Drive and grant of public access
- Widening of the entrance to Cowie Drive from Ousegate requiring demolition of walls to either side of entrance and improved footway between Ousegate and Cowie Drive Surface Car Park

The following structures are to be demolished as part of the proposal:

- Selby Business Centre and boundary wall
- James Willian House
- Walls either side of Cowie Drive junction with Ousegate (these are attached to Viking Shipping Services and The Malt Shovel, both Grade II listed buildings. These works require separate Listed Building Consent which are in yet to be submitted)
- Wall and railings between business centre and Selby Park
- Railway Sports and Social Club

### **Environmental Impact Assessment**

- 1.5 The proposal constitutes development under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as an urban development project that exceeds 5 hectares and includes more than 1 hectare of urban development which is not dwellinghouse development. A scoping opinion was sought from the Council and provided in December 2021 which confirmed that the development would be likely to have significant environmental effects and proving its formal opinion on those aspects of the environment to be considered. An Environmental Statement (ES) has been submitted in support of the application. The information submitted in the ES is sufficient for the Council to understand the likely environmental impact of the proposal and any mitigation required. The EIA

Regulations require this environmental information as well as representations received about the environmental effects of the development to be taken into account in the determination of the application.

- 1.6 The application has been subject to pre-application public consultation with three rounds of consultation taking place in September 2019, March 2021, and October/November 2021. Responses to those consultations were considered in preparing the final proposal. Pre-application discussions have also been held with the Council.
- 1.7 Regulation 25 of the EIA Regulations allows a local planning authority, when dealing with a planning application supported by an ES, to request “further information” if the local planning authority is of the opinion that supplementary additional information is required to allow them to reach a reasoned conclusion on the likely significant effects of the development proposed. The local planning authority must notify the applicant in writing, and the applicant must provide that additional information for further consultation. Following consultee responses, amendments have been made to address issues raised and have been assessed against Regulation 25 and have found to constitute “further information”. The application has been re-publicised in accordance with Regulation 25.
- 1.8 A separate application for Listed Building consent has been submitted for the demolition and replacement station entrance building (2022/0032/LBC). This application is also on the same committee agenda.

### **Relevant Planning History**

- 1.9 Given the geographical spread of the site and its size there are a significant number of historical applications. The following are considered most relevant:
  - 2015/0277/LBC - Listed building consent for the installation of pre-fabricated cycle storage and shelter units to the North and South of existing Platform 1, Selby Station. PERMITTED 20-MAY-15
  - 2015/0276/FUL - Installation of pre-fabricated cycle storage and shelter units to the North and South of existing Platform 1, Selby Station. PERMITTED 20-MAY-15
  - 2018/0809/TCA - Application for consent to fell 31no various species of trees and to carry out a variety of works including the removal of dead wood, crown lifting to allow a clearance of 3.2m, removal of epicormic growth, crown thinning of up to 15% and treatment of ivy where present to 61no various species of trees within the conservation area PERMITTED 01-OCT-18
  - CO/2003/06848 -Proposed construction of and improvement to flood defences, Both sides of River Ouse between River View, Barlby and east Common Lane PERMITTED 08-DEC-03
  - 2021/0472/SCN - EIA Screening opinion request for the Selby Gateway scheme. EIA REQUIRED 11-MAY-21
  - 2021/0692/SCP - EIA Scoping Request for an enhanced public realm, walking and cycling routes, improved visual amenity and an improved

gateway experience at the Selby Train Station. RESPONSE ISSUED 29-JUL-21

- 2021/1361/SCP - EIA Scoping request for proposed development on land at Selby Station RESPONSE ISSUED 20-DEC-21
- 2021/0615/LPA - Prior approval for alterations to existing footbridge to accommodate lift towers; ridge strengthening works and refurbishment; alterations to openings on station buildings located on Platforms 1 and 2 and erection of temporary footbridge as part of the Access for All scheme, Selby Station PRIOR APPROVAL REQUIRED AND GRANTED 17-AUG-21
- 2021/0614/LBC - Listed building consent for alterations to existing footbridge to accommodate lift towers; bridge strengthening works and refurbishment; alterations to openings on station buildings located on Platforms 1 and 2 and erection of temporary footbridge as part of the Access for All scheme PERMITTED 17-AUG-21
- 2022/0032/LBC - Listed building consent for alterations to the Grade II listed Selby Railway Station including the demolition of the existing mid-twentieth-century station building, the construction of a replacement new pavilion style station building, creation of new access points and associated works PENDING DECISION (ALSO ON THIS AGENDA)

## **2. CONSULTATION AND PUBLICITY**

### **2.1 Selby Town Council – Comment as follows:**

- they welcome provision of cycle and walking routes but raise concerns that the scheme will not encourage visitors to the town,
- that there is a missed opportunities to remove Selby Park car park and re-green the area and provide older children's play equipment
- STC consider that the Plaza is in keeping with Selby and the steps will make access difficult
- Healthy trees should not be removed to enable the development and any replacement tree should support wildlife (berries/pollinators)

### **2.2 Yorkshire Water – Yorkshire Water initially objected to the submitted site layout and associated landscaping proposals as little regard had been given to the public water supply and critical public sewerage infrastructure crossing the relevant areas of the site. They recommended the site layout and landscaping proposals are re-designed to avoid structural risks to the above-mentioned infrastructure. Further information was provided to address Yorkshire Waters objections and they responded on 25.5.22 confirming that suitable stand-off distances and root protection measures can be agreed following detailed survey and design. A condition is therefore recommended.**

### **2.3 Conservation Officer – Comment as follows:**

- preservation through record be undertaken for demolition of undated walls either side of Cowie Drive and extension to Viking Shipping and applications for Listed Building Consent to be submitted for demolition of these structures.
- Recommend that boundary wall to front of the station entrance on Station Road be recorded before any demolition
- Recommend that where there is evidence of filled in openings on the wall that options be explored to retain these sections.
- More details of the event space to the wharf required
- Material palette, surfacing and boundary treatments need consideration, especially to Cowie Drive

- 2.4 **Selby Area Internal Drainage Board** – Comments and recommendations provided:
- percolation tests required in the event of soakways being used
  - no objection to surface water being directed to a mains sewer system subject to Water Authority approval
  - If the surface water is to be discharged to any ordinary watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission and would be restricted to 1.4 litres per second per hectare or greenfield runoff
  - there should be no obstructions within 9 metres of the edge of an ordinary watercourse are permitted without Consent from the IDB.
  - Conditions are recommended relating to consent from the IDB and implementation of on-site SuDS or restricted flow measures or attenuation.
- 2.5 **SuDS And Development Control Officer** – No objection to the proposal subject to pre-commencement conditions relating to agreement of flow rate and exceedance flow plan
- 2.6 **Environmental Health** – Comment as follows:
- working hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and not at all on Sundays and bank holidays.
  - Request Construction Environmental Management Plan.
  - Satisfied with the methodology used to determine and collect baseline noise data and proposed acoustic screen at The Haven/Cowie Drive as long as an adequate assessment to determine optimum location, design and material is undertaken.
  - Mitigation measures for dust and particulate matter to be addressed within the Construction Environmental Management Plan. Given the vicinity of the site to the AQMA on New Street and the potential impact on air quality a baseline monitoring study should be agreed with the Local Authority prior to construction to ascertain air quality at the site.
  -
- 2.7 **Historic England** – Comment as follows:
- Support the application on heritage grounds as the original concern raised regarding potential impact of the scheme on below-ground heritage assets has now been address following further investigation and evaluation, which took place in July 2022.
- 2.8 **Natural England** – No objection.
- 2.9 **Landscape Consultant** – Comments made:
- suggest species selection in terms of tree planting, shade/sun tolerance and hardiness
  - planting palette should be extended and diversified
  - management of wildflower meadow needs to be carefully considered due to location within the park
  - recommend that a medium to long term strategy for trees within Selby Park be considered
  - Surfacing palette needs confirming, recommend additional tree planting to proposed plaza
  - Replacement trees required for those lost in park and for underpass.

- 2.10 **Yorkshire Wildlife Trust** – No response provided due to capacity problems.
- 2.11 **County Ecologist** – Comment as follows:
- Biodiversity Net Gain (BNG) calculation demonstrates that the proposed development would deliver net benefits for nature. The Landscape and Ecology Management Plan (LEMP) will need to provide a detailed explanation of how BNG can be achieved and what measures or alternatives would be available should monitoring demonstrate a poorer outcome.
  - Bat boxes are proposed. Recommend the provision of bird nesting boxes targeting species nesting in/on urban buildings such as House Sparrow, Swift and House Martin.
  - Bat surveys of affected buildings were completed, and no roosts identified. A small building adjoining Viking Shipping Supplies, referred to as B12 in the bat survey report, was not surveyed originally as it was only latterly included within the scope of the proposed works. A precautionary assumption was made that bats do use this building, a survey has since been carried out in May/June 2022 and has found low probability of bat roosting. A further report has been provided and the Ecologist re-consulted, who has confirmed that there is no requirement to undertake further survey work and no specific mitigation is needed.
  - Recommended conditions requiring a Construction Environmental Management Plan (CEMP), including a Biosecurity Method Statement, setting out measures to prevent the spread of invasive non-native species when working on the riverside wharf; and a Landscape and Ecological Management Plan (LEMP)
- 2.12 **Designing Out Crime Officer** - The principles of crime prevention through environmental design have been taken into consideration.
- 2.13 **North Yorkshire Fire & Rescue Service** - No objection/observation to the proposed development.
- 2.14 **Public Rights Of Way Officer** – No comments made to the application
- 2.15 **Environment Agency** – Objected to the submitted plans due to the lack of any detailed information regarding the proposed new flood gates in the existing defence wall to the wharf public realm and to the proposed works at Denison Road Canal Bridge and Shipyard Road, as the works shown would severely restrict access to EA assets and requested further information/clarification. Discussions were held between the Environment Agency and the applicant resulting in amendment being submitted. Having reviewed the amendments the EA confirm that they have no objection subject to conditions.

Regarding biodiversity the EA note that Japanese knotweed and Himalayan balsam could spread during construction activities at the wharf. A Construction Environmental Management Plan (CEMP) Biodiversity, including an Invasive Non-Native Species (INNS) management plan and can be secured through condition. Welcome the inclusion of a BNG assessment using the Biodiversity Metric 3.0. and that the projected BNG exceeds 10%.

Regarding pollution prevention there is no objection in principle to the recommendations set out and recommend that works do not commence until the Construction Environmental Management Plan has been reviewed.

- 2.16 **Urban Designer** – No comments received within consultation period
- 2.17 **Planning Casework Unit** – No comments to make on the environmental statement
- 2.18 **Canal And River Trust** – In their initial response dated 8.2.22 the Trust requested further information and clarification on the retention of vehicular access to the Trust's assets at Selby Canal and Selby Lock, which would need to allow for large vehicles, including cranes and trailers. They also advised that details of the design and appearance of the proposed 'Wharf Public Realm' works next to the River Ouse and measures to protect the Selby Canal during construction works be provided as a condition

That measures to limit the risk of pollution of the water environment during construction works and to incorporate measures to protect waterway users are included with the Construction Environmental Management Plan.

The applicant provided further information and amended plans to address the above issues and the Canal and River Trust were reconsulted and responded on 14.3.22. The amended plans show access retained to the canalside and provided further detail on the Wharf proposals. Subject to conditions the Canal and River Trusts have withdrawn their concerns.

- 2.19 **Archaeology** – Further information was requested on the level of below ground disturbance to the west of the station in the area of the Abbey precinct. Trial trenching was agreed and undertaken. Following completion and submission of the evaluation report NYCC Archaeology has raised no objection and recommends a condition for a Written Scheme of Investigation.
- 2.20 **Network Rail** - Network Rail is broadly supportive of this scheme and are involved in discussions over detailed design in regard to the station works themselves (ie within Network Rail land boundaries).
- 2.21 **NYCC Flood Risk Management** - No objection subject to conditions being attached to any consent if this application is approved and the Applicant agrees with pre-commencement conditions regarding flow rate and Exceedance Flow Plan.
- 2.22 **The Ouse & Derwent Internal Drainage Board** – No comment to make on the proposal
- 2.23 **Contaminated Land Consultant** – submitted reports acceptable. Recommend condition relating to reporting of unexpected ground contamination.
- 2.24 **North Yorkshire Highways** – Conditions are recommended including details of road and footway layouts, visibility splays, access, turning and parking and provision of a Construction Management Plan.
- 2.25 **Publicity**

The planning application and the Environmental Statement have been publicised in accordance with the procedures set out in article 15 and article 16, and Schedule 3 to the Town and Country Planning (Development Management Procedure) (England) Order 2015. The application was advertised by press notice and site notice (24 site notices were posted in total).



Three representations objecting to the proposal have been received. The grounds of objection are:

- object to demolition of Selby Business Centre as occupied by 9 businesses which will need to relocate
- Impact on local supply chain from relocation of businesses
- No plans of proposed alterations to the park submitted
- outcome of public consultation November 2021 not published
- object to removal of chestnut tree, should have been incorporated into plans
- Object to loss of historic wall between park and former woodyard, could have been incorporated
- Dangers to park users from fast moving motorbikes/cycles/scooters using link between park and station
- New paths in park will exacerbate existing drainage issues

### **3 SITE CONSTRAINTS**

#### **Constraints**

- 3.1 The site lies within the Selby Development Limit. The northern part of the site lies within Selby Town Conservation Area, which includes Selby Park, the station and Cowie Drive to the south and Ousegate to the east. There are listed buildings within and adjacent to the site.
- 3.2 The site lies within all three flood zones:
- |              |  |
|--------------|--|
| Flood Zone 1 | – Selby Station and part of Cowie Drive  |
| Flood Zone 2 | - Selby Park and parts of Ousegate   |
| Flood Zone 3 | – Shipyard Road, Denison Road canal bridge (with defences)<br>- The wharf and the riverside of Ousegate (without defences) |
- 3.3. The site lies within Special Policy Areas SEL/6 and SEL/7.

### **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  
SP12 - Access to Services, Communities Facilities and Infrastructure  
SP14 - Town Centres and Local Services  
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  
ENV12 – River and Stream Corridors  
ENV24 – Alterations to Listed Buildings  
ENV25 – Control of Development in Conservation Areas  
ENV28 – Other Archaeological Remains  
ENV29 – Protection of Local Amenity Space  
T1 – Development in Relation to the Highway Network  
T7 – Provision for Cyclists  
VP1 – Vehicle Parking Standards  
VP2 – Retention of Existing Off-Street Car Parking  
VP4 – Parking for People with Disabilities  
RT1 – Protection of Existing Recreational Open Space and Allotments  
RT8 – The Trans-Pennine Trail  
SEL/6 – New Street/Ousegate/Station Road Special Policy Area  
SEL/7 – Ousegate/Shipyard Road/Canal Road Special Policy Area

4.8 **National Planning Policy Framework**

The relevant National Planning Policy Framework chapters are:

- 2 – Achieving sustainable development
- 4 – Decision Making
- 6 – Building a strong, competitive economy
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 12 – Achieving well-designed places
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historical environment

#### 4.9 **Supplementary Planning Guidance**

Selby Town Design Statement  
Selby Town Conservation Area Appraisal

### 5. **APPRAISAL**

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

- Principle of development
- Highways, Parking and Accessibility
- Flood Risk and Drainage
- Noise, Air Quality and Residential Amenity
- Impact on Open Space
- Biodiversity
- Impact on Heritage Assets
- Landscape and Visual Impact
- Loss of Employment Land
- Pollution and Contaminated Land
- Design and Layout

#### **Principle of development**

5.2 The Core Strategy sets out the Vision for the District which includes a diverse economy with a wide range of job opportunities to assist in reducing the dependency on surrounding towns and cities. One of the objectives stemming from the Vision is minimising the need to travel and providing opportunities for trips to be made by public transport, cycling and walking.

5.3 Core Strategy 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 will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible.

5.4 Core Strategy Policy SP14 seeks to ensure that new developments facilitate improved accessibility for all users including cyclists, pedestrians, those with special mobility needs and by public transport. This is supported further by policy SP15, which states that development should minimise traffic growth by providing a range of sustainable travel options (including walking, cycling and public transport) through Travel Plans and Transport Assessments and facilitate advances in travel technology such as Electric Vehicle charging points and make provision for cycle lanes and cycling facilities.

- 5.5 Core Strategy Policy SP19 seeks to create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts.
- 5.6 Site Specific Policies SEL/6 New Street/Ousegate/Station Road and SEL/7 Ousegate/Shipyards Road/Canal Road of the SDLP are relevant to the proposal and identify locations where there are opportunities and potential pressure for change during the Plan period. Central to both policies is ‘the desirability of creating opening and providing links through the Town Park which is situated to the rear of Ousegate and Station Road frontages and exploiting opportunities to extend and/or enhance the amenity of the Park’ (Policy SEL/6) and “provision of improved pedestrian links to the town centre” (Policy SEL/7).
- 5.7 Providing accessible, attractive, and cleaner alternatives to car journeys is key to the TCF and the application would result in improved connections between the train and bus stations and the town centre as well as encourage use of more sustainable modes of transport between the station and town as well as within the application area and beyond. Overall, the proposal will fulfil the objectives of the above policies by creating new and user-friendly connections in this section of the town. The principle of the development is therefore considered to be acceptable.

### **Highways, Parking and Accessibility**

- 5.8 SDLP Policies T1 and T2 set out local planning policies regarding Development in Relation to the Highway Network and Access to Roads.
- 5.9 SDLP Policy ENV1 states proposals for development will be permitted provided a good quality of development would be achieved. In considering proposals the District Council will take account of various matters including the relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site and the arrangements to be made for car parking. SDLP VP1, VP2 and VP3 seek to ensure sufficient off-street parking is available.
- 5.10 SDLP Policy RT8 encourages proposals to enhance access to the Trans-Pennine Trail.
- 5.11 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.12 The proposed highways and parking changes include:
- Removal of 2 parking spaces from Selby Park car park
  - Provision of new car park to the west of the station and new car park and access to the station from Cowie Drive
  - Reconfiguration of the bus station
  - Station Road to be made one way
  - Changes to Ousegate to allow for cycle separation under bridge, Ousegate to be one-way southbound until south of the railway bridge
  - Changes to the New Street/Ousegate junction
  - Changes to the New Street/Bawtry Road junction

- New underpass under Bawtry Road
- Closure of Denison Road canal bridge to vehicles to allow better use of the Trans Pennine highway and to encourage pedestrian and cycle useage
- New cycle racks within the station
- EV charging to all parking areas
- Disabled parking to Station Road and Cowie Drive car parks
- Within the application area there are currently 87 standard car parking spaces and the proposal increases this number by 145% to 213. The new car park to Cowie Drive and access to the station will enable commuters and residents to access the station from the east. Further parking is provided to Station Road. There will be a negligible impact to on-street residential parking as this is currently operating under capacity
- The proposal supports cycling which will result in changes to Ousegate, including making it one-way northbound between Cowie Drive and the Toll Bridge with the south-bound carriageway made into a cycle path. The cycle path will be available for vehicular use under the railway bridge in times of flood. The closure of Denison Road canal bridge to vehicles will also support usage of the Trans-Pennine Trail.
- Walking is improved by improving paths and connections between the station and the town centre. The proposed underpass to Bawtry Road will be a significant benefit allowing a safe and accessible access under the road.

5.13 The application is accompanied by a Transport Assessment and plans showing the proposed highway works and new car parks. A parking survey was also provided at the request of the Highway Authority. Following consideration of the submitted information the Highway Authority has raised no objection to the scheme subject to conditions relating to provision of details on road and footway construction, delivery of highway works, a Construction Management Plan and delivery of highway works.

5.14 The proposals seek to increase accessibility with inclusion of disabled parking bays to the proposed car parks, provision of EV chargers to all disabled and oversized spaces, step free access to the station through the plaza and the provision of a Changing Places toilet within the proposed station building. The proposal complies with SDLP Policy ENV1(6) and advice in the NPPF.

### **Flood Risk and Drainage**

5.15 Core Strategy Policy SP15 and Chapter 14 of the NPPF set out the key considerations in terms of flooding and drainage.

5.16 Due to the geographical spread of the site, it lies within all three flood zone areas as identified by the Governments Flood Maps for Planning with the station lying in Flood Zone 1, Selby Park, Ousegate and the bus station being within Flood Zone 2, the wharf being in Flood Zone 3, Shipyard Road/Canal Road/Denison Road being within Flood Zone 3 – Areas Benefitting from Flood Defences. A flood risk assessment was submitted as part of the application. Other than Selby Park the site comprises previously developed land. There are three watercourses within or close to the site: River Ouse, Selby Canal and Selby Dam.

5.17 Developments within Flood Zone 2 and 3 require Sequential and Exception Tests to be carried out. As the proposal is for the enhancement of existing infrastructure the Sequential Test is not relevant as the proposal cannot be relocated to an area of lower flood risk. As the proposal relates to essential infrastructure the Exception

Test is required. The proposal provides wider sustainability benefits to the community which are considered to outweigh the flood risk.

- 5.18 The Environment Agency and the Lead Local Flood Authority have considered the Flood Risk Assessment and proposed drainage strategy and have raised no objection subject to conditions.
- 5.19 Subject to a condition to ensure that utilities are not affected by proposed landscaping Yorkshire Water have no objection.
- 5.20 The proposal is considered to be acceptable in flood risk policy terms as it would not result in increased flood risk and therefore complies with SP15 and advice in the NPPF.

### **Noise, Air Quality and Residential Amenity**

- 5.21 SDLP Policy ENV1 and NPPF Chapter 12 para 130 considers the impact of development on residential and local amenity. The site lies in a mixed-use area with residential properties on Station Road, The Haven and Ousegate.
- 5.22 The main impact on residential amenity for occupiers of dwellings around the site is expected to come from the construction process, which by its nature is disruptive due to noise, dust and disturbance. Baseline noise surveys have taken place. A draft Construction Environment Management Plan (CEMP) has been submitted, detailing the environmental controls/protection measures to be adopted during construction. Full details of the construction process are not yet known and the final CEMP will need to be conditioned.
- 5.23 Removing of James Williams House on Cowie Drive to provide the car park removes the benefit it has in screening dwellings on The Haven from rail noise. A 2.5m high acoustic barrier is proposed on the boundary of The Haven and Cowie Drive (its positioning and height to be confirmed) which will also help to screen any noise from the new car park. This can be controlled by condition.
- 5.24 Proposed working hours can be addressed within the CEMP.
- 5.25 The site lies close to the Air Quality Management Area on New Street. The Environmental Health Officer requests a baseline monitoring study, to be agreed with the Council, to ascertain air quality at the site. Mitigation measures for dust will be identified in the CEMP.
- 5.26 Dwellings on Station Road already experience rail and traffic noise as they are adjacent to the station. Other than construction of the new station entrance building it is not considered that levels of rail and traffic noise will significantly alter. The proposed new plaza is sited to the front of the of the station and will be offset to the dwellings on Station Road. It is proposed that the plaza can be used as an event and seating space so it is likely that those uses will generate a degree of new activity and noise for those occupiers. However, as the existing dwellings are offset and the natural route for pedestrians would be between the station and the park it is not considered that the additional activity is likely to result in undue noise and disturbance to those dwellings.
- 5.27 Plans for the wharf public realm on Ousegate is expected to increase the number of visitors to the site. Due to its location and being on the river side of Ousegate it is

considered that the level of activity to the wharf will not be so great to result in a loss of residential amenity. Dwellings on Denison Road will benefit from the closure of the canal bridge to vehicular traffic.

- 5.28 There have been no representations received regarding impact on amenity. Overall, it is considered that the proposals will result in the enhancement of the immediate environment and is not expected to result in detriment to residential amenity.

### **Impact on Open Space**

- 5.29 Selby Park is designated as Recreation Open Space (east) under Saved Policy RT1 of the local plan and Local Amenity Space (west) under Saved Policy ENV29. The proposals will demolish the wall between Selby Park and Selby Business Centre to create access to the proposed plaza and will provide upgrades to the existing cycle and footpath network through the park and The Crescent entrance. One of the bowling greens will be removed to provide access to the new plaza, although the remaining bowling green, mini golf and children's play area will be retained. A number of trees are to be felled to facilitate these changes and new tree planting and enhanced shrub planting proposed. Although there will be a loss of a bowling green the overall use of the park for both recreational and amenity open space will not be affected and improved access and planting is likely to encourage more usage. The proposal does not conflict with Saved Policies RT1 or ENV29

### **Biodiversity**

- 5.30 CS Policy SP18 seeks to protect the natural and built environment. NPPF seeks to enhance and protect the natural environment. Section 11.9 of the Environmental Statement proposes ecological enhancements in addition to creation of new habitat and to protect existing habitat.

#### *Invasive Species*

- 5.31 Japanese knotweed and Himalayan balsam are Invasive Non-Native Species (INNS) which are present along the banks of the River Ouse. Construction activities at the wharf could result in their spread. The Environment Agency have requested a condition that the CEMP includes a INNS management plan, to demonstrate how construction related impacts of the development will be avoided and what treatment measures and management will be implemented to eradicate INNS on the site.

#### *Bats*

- 5.32 An amended draft Environmental Management Plan (revision 2) (EMP) was submitted during the application and a further bat survey. The Ecologist have confirmed that they are satisfied with the draft EMP and no further survey work is required. A condition is recommended for submission and approval of the EMP.

### **Impact on Heritage assets**

- 5.33 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 includes a general duty in respect of listed buildings in the exercise of planning functions. In considering whether to grant planning permission for development

which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of any buildings or other land in a conservation area in the exercise of planning functions.

- 5.34 Chapter 16 of the NPPF contains Central Government's approach to the conservation and enhancement of the historic environment. It states in paragraph 199 that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' Designated heritage assets include listed buildings, schedule monuments, registered parks and gardens, and conservation areas. Paragraphs 201 and 202 set out the appropriate assessment where the proposed development would lead to substantial harm and less than substantial harm respectively. Paragraph 203 outlines the guidance with respect to non-designated heritage assets, such as archaeological features and deposits, setting out the balanced judgement that will be required depending on the scale of any harm or loss.
- 5.35 Saved Policy ENV24 of the Local Plan states that alterations to listed buildings will only be permitted where it can be demonstrated that the proposal 1) it would not have any adverse effect on the architectural and historic character of the building, and its setting; 2) Is appropriate in terms of scale, design, detailing and materials; and 3) Would not harm the historic fabric of the building. Policy ENV25 states that development within or affecting a conservation area will be permitted provided the proposal would preserve or enhance the character or appearance of the conservation area. Policy ENV28 relates to archaeological remains. Protection and enhancement of the historic environment is also dealt with as part of Core Strategy Policy SP18, which seeks to safeguard the historic environment and conserve those historic assets that most contribute to the distinct character of the District.
- 5.36 There are listed buildings within and adjacent to the site although the proposal directly affects the following Grade II listed buildings:
- demolition of existing and erection of new Selby Station entrance building
  - Demolition of walls to either side of Cowie Drive entrance attached to former Railway Goods Shed (now occupied by Viking Shipping) and The Jolly Sailor Inn (now The Malt Shovel)
  - Demolition of single storey extension building to rear of Viking Shipping
- 5.37 An application for Listed Building Consent for the demolition and rebuilding of the station entrance building has been submitted and is the next item on the committee agenda. Applications for listed building consent for the demolition of the walls and the rear extension are being prepared and will be submitted in due course.
- 5.38 The proposed new station entrance building is an improvement on the current 20<sup>th</sup> Century building and its style, scale and materials are considered acceptable. The new building is supported by Historic England and can be considered to have a positive impact on the setting of the designated heritage assets of the station and the conservation area.



- 5.39 The two boundary walls are late 19<sup>th</sup> century additions and are free standing from the buildings, attached by brackets. Their removal is required to improve access and egress from Cowie Drive. The walls are not part of the historic fabric of the buildings and their removal is considered to result in less than substantial harm to the listed buildings. The single storey extension to the rear of Viking Shipping is undated and is not part of the historic fabric of the former good shed. It does not add architecturally or visually to the parent building and it is not considered that its removal will result in significant harm to the listed buildings. Both walls and the extension building should be recorded prior removal, where possible historic fabric be retained. In principle the removal of these structures would be acceptable, details of their removal, recording and demolition plans should be dealt with under subsequent applications for listed building consent.
- 5.40 To the north of the park is a Grade II listed K6 telephone box which is currently obscured from view by trees. Park improvements including widening the park entrance and removal of a group of Leyland cypress trees from next to the telephone box which will allow for better appreciation of this heritage asset.
- 5.41 The proposal has potential to impact on below-ground heritage assets, particularly to the west of the station around the former Abbey precinct. Following consultation responses from both NYCC Archaeology and Historic England further archaeological works were agreed with trial trenching taking place in July. Following submission of the interim evaluation report NYCC Archaeology and Historic England support the proposal subject to a condition which requires a Written Scheme of Investigation.
- 5.42 Part of the site lies within Selby Town Conservation Area, including Selby Park, the proposed plaza area, Selby station and the former railway good shed, Cowie Drive and the wharf on Ousegate. The proposals will improve connections from the station and town centre, and the removal of existing buildings and proposed public realm enhancements are considered beneficial to the conservation area and improving its setting. The park is important in the setting of Selby Abbey. It is not considered that the proposal will result in harm to the Abbeys setting.
- 5.43 Selby Park is a non-designated heritage asset within the conservation area and is a valuable resource to the town and plays an important role in the setting of the Abbey. Improved management and additional planting along with improved pedestrian/cycle links will be beneficial to the non-designated heritage asset as well as the wider conservation area.
- 5.44 The boundary wall opposite the Station is also a non-designated heritage asset however part of it will be demolished to allow creation of the plaza. It is recommended that it should be recorded prior to any demolition and this can be controlled through condition.
- 5.45 In light of the above, the proposal is considered to accord with the general and special duties as set out in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, SDLP Policies ENV24, ENV25 and ENV28, Policy SP18 of the Core Strategy and advice contained in the NPPF.

### **Landscape and Visual Impact**

- 5.46 Selby District Local Plan Policy ENV1(4) requires development to consider approaches on landscaping within the site and taking account of its surroundings.

Policy SP19(e) requires that proposals look to incorporate new landscaping as an integral part of the scheme. The visual impact of the proposal was set out in Chapter 9 of the Environmental Statement

- 5.47 The park exit onto The Crescent junction is to be opened up to enable better access. A group of Leyland Cypress to the east of the phone box (Grade II listed) are to be removed as well as a cherry at the entrance. Within the park a further tree by the bandstand will also be removed. Creation of the plaza and park access will result in the loss of a Horse chestnut. An objection from a member of the public has been raised to the loss of this tree. The access between the plaza and the park has been carefully located to result in minimal tree losses, with mature trees retained to either side. Retention of the tree would inhibit use of the access by pedestrians and cyclists. By removing the tree, the benefits for connectivity between the station and the town centre are achieved with minimal impact on the tree cover of the park.
- 5.48 Four Sycamore and Lime trees are to be removed to facilitate the creation of the Bawtry Road underpass. Again, these are mature trees and do contribute to the visual amenity of Bawtry Road. Their removal will have a visual impact however it needs to be balanced against the creation of the underpass, which will provide a safe and accessible route across Bawtry Road. New tree planting is proposed nearby within the bus station.
- 5.49 Landscaping is proposed across the site including Ousegate and Cowie Drive. A landscaping scheme and proposed species mix has been provided as part of this application however locations of proposed trees may alter following utilities surveys. The species mix is indicative and provides an expectation of the broad mix of plants and trees to be included in the final scheme. A landscaping condition is therefore considered appropriate. It is also considered appropriate for tree protection conditions to ensure that remaining trees are not impacted upon by the proposal.
- 5.50 In terms of visual impact there are clear benefits from the proposal in removing Selby Business Centre and James Williams House which are visually intrusive in the townscape. The opening up of views across the park is similarly beneficial and the overall increase in landscaping and planting equally so, especially to those areas within the site, such as Ousegate and Cowie Drive, which currently lack landscaping. The improvements to the wharf will also be visually beneficial. Overall, the proposal is considered to have a positive visual impact on the town centre and would comply with CS Policy SP19 and SDLP Policy ENV1.

### **Loss of Employment Land**

- 5.51 Selby Business Centre, the Railway Sports and Social Club and James Williams House are to be demolished as part of the scheme, with a resultant loss of employment opportunities within the town centre. Nine businesses currently operate from Selby Business Centre.
- 5.52 Objections have been received to the loss of Selby Business Centre and the impact this will have on local firms. Selby District Council purchased Selby Business Centre in December 2022 in order to facilitate the TCF. As part of that acquisition the Economic Regeneration team are working separately with occupants to assist them in finding alternative accommodation within the Selby District.
- 5.53 Selby Business Centre is not an established employment area as defined under SDLP Policy EMP4, however it does support small and medium businesses within

Selby. The loss of town centre employment, whilst regrettable, is unavoidable in order to deliver the TCF and the significant public benefits that will go with it. The wider economic benefits that will result from the TCF are considered to outweigh that loss and therefore the loss of this employment use is considered acceptable.

### **Pollution and Contaminated land**

- 5.54 Core Strategy Policy SP18 requires development to protect soil, air and water from all types of pollution. CS Policy SP19(k) requires that development does not contribute to or put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water, light or noise pollution or land instability

#### *Pollution of watercourses*

- 5.55 The site lies adjacent to the River Ouse, Selby Dam and Selby Canal where development has the potential to result in water containing sediments and other pollutants and contaminants (e.g oil, sewage effluent) entering the water environment. A Draft Environmental Management Plan (EMP) has been submitted and the applicant intends to prepare a Construction Environmental Management Plan (CEMP), to be put in place prior to commencement of construction. As part of the CEMP a Pollution Management plan will be produced to provide training for staff working on the development and for a contingency plan should an incident occur. The EA has no objection in principle to the proposed development in relation to pollution prevention and recommend that works do not commence until the CEMP has been produced and agreed.

#### *Contamination*

- 5.56 Policy ENV2 of the SDLP requires developers to undertake proper investigation and provide sufficient information to the Council to assess the nature and extent of any contamination that may be encountered as a result of an application proposal. Core Strategy Policies SP18 and SP19 also seek to protect development from contamination, for development not to contribute to contamination or be adversely affected by it.
- 5.57 A phase 1 report was submitted with the application, on which the Council's contamination land consultant provided advice, advising conditions including a ground investigation and submission of a Phase 2 report. During the course of the application the applicant has undertaken the ground investigation works and has submitted a Phase 2. The Phase 2 report has been assessed by the Council's consultant and found to be acceptable and they have advised that no further investigation works or contamination assessment is considered necessary. A condition is recommended for the reporting of any unexpected contamination found during development work, which will require appropriate remedial action if that is the case. The recommended condition is considered appropriate, and the proposal complies with Policy ENV2 of the SDLP.

### **Design and Layout**

- 5.58 SDLP Policy ENV1 provides that proposals for development will be permitted providing that a good quality of development will be achieved. Core Strategy Policy SP19 states that all proposals for new development will be expected to contribute to enhancing community cohesion by achieving high quality design and have regard to

the local character, identity and context of its surroundings including historic townscapes, settlement patterns and the open countryside.

- 5.59 The overall design and layout of the proposal has been carefully considered to achieve the required improvements with the best space available. The new station building will be an improvement visually and operationally to station users, and is a contemporary design which has minimal impact on the historic fabric of the station. The plaza provides a multi-functional space which enables improved access, seating areas and for events. The design is considered and includes ramped and stepped access.
- 5.60 Public realm enhancements across the site, including new street furniture, landscaping and the opening up of previously underused areas such as the wharf, will be a positive benefit to local residents. It is proposed to install pieces of public art, details of which are yet to be finalised. Subject to these pieces being appropriate to their context and scale, public art will provide character and animation to the wider site. The Canal and River Trust have advised caution regarding the final Wharf public realm to ensure safe access to and around the public space, taking account of potential trip and slip hazards and also with regards to the visual impact of any public art to be installed. Similar issues can also be raised in respect of the Plaza. The proposed condition for the materials palette is considered appropriate and it is also proposed to add a condition relating to public art details.
- 5.61 Overall the design of the proposals are considered to be acceptable and comply with SDLP Policy ENV1 and CS Policy SP19.

## **6. CONCLUSION**

- 6.1 This application seeks planning permission for the Selby Station Gateway TCF project, including the erection of a new station entrance building, demolition of existing buildings, creation of a plaza, improvements to the bus station and a package of highway and accessibility improvements which include improved car parking, an underpass, new pedestrian and cycle linkages and general landscaping and public realm enhancements. The proposal is wide ranging, and the improvements, combined with the Heritage Action Zone, will result in economic benefits to Selby.
- 6.2 The planning application is EIA development. Following assessment of the accompanying Environmental Statement there are no adverse significant environmental effects either individually or cumulatively that cannot be mitigated.
- 6.3 The application is considered acceptable in principle and would not result in harm to designated and non-designated heritage assets, subject to conditions. The design of the proposal is also considered acceptable. Issues relating to flood risk and drainage have been resolved and can be controlled through condition.
- 6.4 There will be landscape and visual impacts through the loss of existing trees however this is balanced by the proposed extent of new planting, extending to all areas of the site. The proposals achieve Biodiversity Net Gain greater than 10%.
- 6.5 Impacts on Residential amenity through construction can be controlled through submission of a Construction Environment Management Plan whilst overall residential amenity is not considered to be detrimentally affected.

- 6.6 A significant number of highway changes are required as part of the proposal and these are currently with the Highway Authority. Their formal response is awaited and inclusion of any conditions will be included as part of an officer update.
- 6.7 Loss of existing employment space within the town centre is unavoidable in order to deliver the scheme and the applicant is actively working with occupiers to re-locate businesses within Selby District. The loss of the employment use however has to be balanced against the wider economic and public benefits of the application proposal, which weigh in favour of the application.
- 6.8 It is recommended that the application be deferred to Head of Planning for approval with conditions following the expiry of the re-publication undertaken in accordance with Regulation 25.
- 6.9 The application is considered to comply with Core Strategy policies SP1, SP12, SP14, SP15, SP18, SP19 and Selby District Local Plan Policies ENV1, ENV2, ENV12, ENV24, ENV25, ENV28, ENV29, ENV T1, ENV T7, ENV VP1, ENV VP2, ENV VP4, RT1, RT8, SEL/6, SEL/7 and the advice contained within the NPPF.

## **7 RECOMMENDATION**

This application is recommended to be DEFERRED to Head of Planning to GRANT Planning Permission following the end of the publicity period (17<sup>th</sup> September 2022) required under Regulation 25 following receipt of further information

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended.

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

### Landscape

- Cowie Drive Landscape GA Sheet 1 – TCF-WSP-NYSE-COW-DR-LS-01\_01
- Crescent St Landscape GA Sheet 1 – TCF-WSP-NYSE-CST-DR-LS-01\_01
- Ousegate Landscape GA Sheet 1 – TCF-WSP-NYSE-OGT-DR-LS-01\_01
- Ousegate Landscape GA Sheet 2 – TCF-WSP-NYSE-OGT-DR-LS-01\_02
- Ousegate Landscape GA Sheet 3 – TCF-WSP-NYSE-OGT-DR-LS-01\_03
- Shipyard Rd Landscape GA Sheet 1 – TCF-WSP-NYSE-SHP-DR-LS-01\_01
- Station Rd Landscape GA Sheet 1 – TCF-WSP-NYSE-STN-DR-LS-01\_01
- Station Rd Landscape GA Sheet 2 – TCF-WSP-NYSE-STN-DR-LS-01\_02
- Station Rd Landscape GA Sheet 3 – TCF-WSP-NYSE-STN-DR-LS-01\_03

### Plans

- Demolition Structures Rev A
- Station Road Existing Utilities Sheet 1 – TCF-WSP-NYSE-STN-DR-CU-27\_01\_P01\_S2
- Station Road Existing Utilities Sheet 2 – TCF-WSP-NYSE-STN-DR-CU-27\_02\_P01\_S2
- Station Road Existing Utilities Sheet 3 – TCF-WSP-NYSE-STN-DR-CU-27\_03\_P01\_S2
- Station Road Pavements, Footways And Kerbing Sheet 1 – TCF-WSP-NYSE-STN-DR-CH-07\_01\_P01\_S2
- Station Road Pavements, Footways And Kerbing Sheet 2 – TCF-WSP-NYSE-STN-DR-CH-07\_02\_P01\_S2
- Station Road Pavements, Footways And Kerbing Sheet 3 – TCF-WSP-NYSE-STN-DR-CH-07\_03\_P01\_S2
- Station Road GA Sheet 1 – TCF-WSP-NYSE-STN-DR-CH-01\_01\_P01\_S2
- Station Road GA Sheet 2 – TCF-WSP-NYSE-STN-DR-CH-01\_02\_P01\_S2
- Station Road GA Sheet 3 – TCF-WSP-NYSE-STN-DR-CH-01\_03\_P01\_S2
- Station Road Existing Arrangement Sheet 1 – TCF-WSP-NYSE-STN-DR-CH-01\_06\_P01\_S2
- Station Road Existing Arrangement Sheet 2 – TCF-WSP-NYSE-STN-DR-CH-01\_07\_P01\_S2
- Station Road Existing Arrangement Sheet 3 – TCF-WSP-NYSE-STN-DR-CH-01\_08\_P01\_S2
- Portholme Road Underpass Feasibility Study General Arrangement - TCF-WSP-NYC-18X-DR-CB-000101 P02
- Shipyard Rd Existing Utilities– TCF-WSP-NYSE-SHP-DR-CU-27\_01\_P01\_S2
- Shipyard Rd Existing Arrangement – TCF-WSP-NYSE-SHP-DR-CH-07\_03\_P01\_S2
- Shipyard Road General Arrangement Sheet 1 – TCF-WSP-NYSE-SHP-DR-CH-01\_01\_P02\_S2
- Shipyard Road Pavements, footways and kerbing Sheet 1 - TCF-WSP-NYSE-SHP-DR-CH-07\_01\_P01\_S2
- Ousegate Existing Utilities Sheet 1 – TCF-WSP-NYSE-OGT-DR-CU-27\_01\_P01\_S2
- Ousegate Existing Utilities Sheet 2 – TCF-WSP-NYSE-OGT-DR-CU-27\_02\_P01\_S2
- Ousegate Existing Utilities Sheet 3 – TCF-WSP-NYSE-OGT-DR-CU-27\_03\_P01\_S2
- Ousegate GA Sheet 1 – TCF-WSP-NYSE-OGT-DR-CH-01\_01\_P01\_S2
- Ousegate GA Sheet 2 – TCF-WSP-NYSE-OGT-DR-LS-01\_02\_P04\_S2
- Ousegate GA Sheet 3 – TCF-WSP-NYSE-OGT-DR-CH-01\_03\_P01\_S2
- Ousegate Existing Arrangement Sheet 1 – TCF-WSP-NYSE-OGT-DR-CH-01\_06\_P01\_S2
- Ousegate Existing Arrangement Sheet 2 – TCF-WSP-NYSE-OGT-DR-CH-01\_07\_P01\_S2
- Ousegate Existing Arrangement Sheet 3 – TCF-WSP-NYSE-OGT-DR-CH-01\_08\_P01\_S2
- Ousegate Pavement, footways and kerbing sheet 1 - TCF-WSP-NYSE-OGT-DR-CH-07\_01\_P01

- Ousegate Pavement, footways and kerbing sheet 2 - TCF-WSP-NYSE-OGT-DR-CH-07\_02\_P01
- Ousegate Pavement, footways and kerbing sheet 3 - TCF-WSP-NYSE-OGT-DR-CH-07\_03\_P01
- Cowie Drive GA – TCF-WSP-NYSE-COW-DR-CH-01\_01\_P03\_S2
- Cowie Drive Existing Arrangement – TCF-WSP-NYSE-COW-DR-CH-01\_04-P01\_S2
- Cowie Drive Pavements, Footways and Kerbing - TCF-WSP-NYSE-COW-DR-CH-07\_P01\_S2
- Cowie Drive Existing Utilities – TCF-WSP-NYSE-COW-DR-CH-27\_01-P01\_S2
- Crescent St GA Sheet 1 – TCF-WSP-NYSE-CST-DR-CH-01\_01\_P01\_S2
- Crescent St Existing Arrangement – Ref. TCF-WSP-NYSE-CST-DR-CH-01\_02\_P01\_S2
- Crescent Street Junction Pavement, footways and Kerbing - TCF-WSP-NYSE-CST-DR-CH-07\_02\_P01\_S2
- Crescent St Existing Utilities – TCF-WSP-NYSE-CST-DR-CU-27\_01\_P01\_S2

### Selby Station

- Existing Station Layout – 20098-SGP-SEL-00-DR-A-130000 P3
- Demolition Plan – 20098-SGP-SEL-00-DR-A-130001 P2
- Existing Building Sections – 20098-SGP-SEL-00-DR-A-130200 P2
- Proposed Station Layout – 20098-SGP-SEL-00-DR-A-131100 P8
- Proposed New Station Building Layout – 20098-SGP-SEL-00-DR-A-131101 P7
- Proposed Step-Free Route Plan – 20098-SGP-SEL-00-DR-A-131103 P1
- Proposed Roof Plan – 20098-SGP-SEL-RF-DR-A-101104 P5
- Existing Elevations – 20098-SGP-SEL-XX-DR-A-020300 P1
- Proposed Elevations – 20098-SGP-SEL-XX-DR-A-021300 P5
- Existing Site Plan – 20098-SGP-SEL-XX-DR-A-100000 P2
- Proposed GA Sections Sheet 1 – 20098-SGP-SEL-XX-DR-A-101202 P5
- Proposed GA Sections Sheet 2 – 20098-SGP-SEL-XX-DR-A-101203 P2
- Location Plan – 20098-SGP-SEL-XX-DR-A-130002 P2
- 3D Perspective Visualisations – 20098-SGP-SEL-XX-MR-A-131901 P4
- 3D Perspective Interior Visualisations – 20098-SGP-SEL-XX-MR-A-131902 P3
- Proposed Site Plan – 20098-SGP-SEL-ZZ-DR-A-131001 P4
- Wharf Landscape Sections - TCF-WSP-NYSE-XX-DR-LS\_01\_02 P01
- Shipyard Road – General Arrangement Sheet 1 - TCF-WSP-NYSE-SHP-DR-CH-01\_01 P01
- Lighting Strategy - 70083446-WSP-SEL-XX-RP-LI-001-P02 Jan 22

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Following grant of planning permission Selby Railway Sports and Social Club shall be demolished, demolition material removed from the site, the site cleared and secured.

Reason: In order to reduce any effects on the character of the area and residential amenity from the antisocial use of the vacant building.

4. Prior to commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in strict accordance with approved Construction Management Plan. The scope of the Plan shall include:
- a) A programme of works
  - b) Location of site compounds
  - c) Arrangements for parking of vehicles for site operatives and visitors
  - d) A scheme for recycling/disposing of waste resulting from demolition and construction works.
  - e) Details of wheel washing facilities for the cleaning of wheels of vehicles leaving the site, including location and type.
  - f) Suitable road sweeping measures.
  - g) A programme of works including phasing, and measures for the control of (construction) traffic to and from the site, and within the site, during construction
  - h) A scheme for recycling/disposing of waste resulting from demolition and construction works.
  - i) Details on hours of construction, deliveries, types of machinery to be used, noise and vibration mitigation and details of any monitoring and compliance with relevant standards.
  - j) Details on artificial lighting and measures which will be used to minimise impact, such as restrictions in hours of operation, the location and angling of lighting.
  - k) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate.
  - l) External lighting equipment, whether utilised for construction purposes or installed as part of the development, arranged such that no lighting will be shone directly towards dwelling or onto structures with bat roosting potential
  - m) Measures to control the emission of noise (including acoustic fencing), dust and dirt during construction.
  - n) On-site surface water management at all times during preparatory and construction work.
  - o) Measures to prevent the discharge of surface water to the existing or proposed highway
  - p) Precautions to be taken during the course of works, to avoid harm to nesting birds, bats and terrestrial mammals
  - q) Precautions to be taken to prevent the spread of non-native invasive species.
  - r) Proposed phasing of construction.
  - s) Security arrangements for construction equipment and materials.
  - t) Storage of plant and materials used in constructing the development.

A copy of the approved Construction Management Plan shall be available on site for access by site operatives at all times during construction.

Reason: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with SDLP Policy ENV1 and paragraph 132 of the NPPF.



5. The development shall be carried out in accordance with the submitted drawings (TCF-WSP-NYSE-OGT-DR-LS-01\_02 Rev P04, TCF-WSP-NYSE-SHP-DR-CH-01\_01 Rev P02 & TCF-WSP-NYSE-SHP-DR-CH-01 Rev P02) and the following mitigation measures detailed:
- There shall be no obstruction to the path of 'swing' of the existing floodgate, and no planting adjacent to the existing floodwall.
  - Access shall be maintained along the canal at the corner of Canal/Shipyard/Denison Road
  - The existing fencing is not to be extended. These mitigation measures shall be fully implemented and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To maintain current access arrangements to Environment Agency assets, to ensure that the full and proper operation of the existing floodgate is maintained and that the ability for the Environment Agency to inspect it is not adversely impact by the proposed works, in accordance with Core Strategy Policy SP15 and chapter 14 of the NPPF

Note:- the applicant should consider how vehicle access will be prevented onto the wharf following the gate being opened. They could consider something similar to the collapsible bollard arrangement at the amphitheatre on Water Lane.

6. Notwithstanding the submitted details, no development shall take place until a Construction Environmental Management Plan – Biodiversity (CEMP-B), including an INNS management plan, has been submitted to, and approved in writing by, the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- i. risk assessment of potentially damaging construction activities including the enhancement of the wharf adjacent to the River Ouse
  - ii. measures to avoid or reduce impacts during construction
  - iii. details of how the site will be remediated and built without affecting surrounding habitats, including a sensitive construction and operation lighting plan to protect the River Ouse along the wharf public realm area
  - iv. details of location, timings of sensitive works and pre-commencement checks required, to avoid harm to biodiversity features, including bats, otters and nesting birds
  - v. details of invasive non-native species management

Any subsequent variations shall be agreed in writing by the local planning authority.

Reason: To ensure the protection of wildlife and supporting habitat and to prevent the spread of invasive non-native species in accordance with SDLP Policy ENV1 and Core Strategy Policy SP18.

7. Notwithstanding the submitted details, prior to above ground works (other than the demolition works allowed under condition 3) a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include, but not be limited, to the following:

- i. Description and evaluation of features to be managed;
- ii. Landscape and ecological trends and constraints on site that might influence management;
- iii. Aims and objectives of management (including those related to species);
- iv. Appropriate management options for achieving aims and objectives, including appropriate enhancement measures;
- v. Prescriptions for management actions;
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period);
- vii. Details of the body or organisation responsible for implementation of the plan;
- viii. Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer;
- ix. Ongoing monitoring and remedial measures;
- x. Timeframe for reviewing the plan; The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests on nature conservation interest and the protection of protected species and to comply with Policy ENV1(5) of the Selby District Local Plan, Policy SP18 of the CS, The Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017.

8. 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 Core Strategy Policies SP18 and SP19.

Informative: Unexpected contamination relates to contamination that has not already been addressed within the reports. The reports and conclusions are based on a limited number of sources of information which can sometimes miss contamination later discovered during development.

9. Prior to each phase of the development taking place details of the proposed materials palette to be used for the hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.

Reason: To ensure the development accords with the approved details in accordance with Policy ENV 1 of the Local Plan.

10. Prior to each phase of the development taking place details of the proposed planting palette shall be submitted to and approved in writing by the local planning authority. Tree, shrub and flower species shall be varied and include those beneficial to wildlife (eg. berries/pollinators). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of that phase of development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the development accords with the approved details in accordance with Policy ENV 1 of the Local Plan.

11. No site clearance, preparatory work or development shall take place (other than the demolition works allowed under condition 3) until a scheme for the protection of the retained trees (the tree / root protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: 2012 Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority.

The scheme for the protection of the retained trees shall be carried out as approved and maintained until the scheme is completed.

Reason: To ensure the preservation and planting of trees in accordance with s.197 of the Act and in order to comply with saved Policy ENV1 of the Selby District Local Plan.

12. Prior to the commencement of development at the Wharf Public Realm the proposed details shall be submitted to and approved by the Local Planning Authority. Details shall include:
- a) cross sections showing landscaping and railings in relation to the existing wharf structure
  - b) visuals of any new key focal point
  - c) details of lighting, bins and planting
  - d) details of proposed surfacing (non-slip materials should be used where possible for public safety near water)

The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that public safety and neighbouring residential amenity is not affected by the proposals, in accordance with SDLP Policy ENV1 and CS Policy SP19.

13. Prior to the final commissioning of any free-standing public artwork to be erected in the development, especially at the wharf public realm or public plaza, details shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be installed in accordance with the approved details.

Reason: To ensure that public safety and neighbouring residential amenity is not affected by the proposals, in accordance with SDLP Policy ENV1 and CS Policy SP19.

14. No landscaping shall take place until underground utilities have been surveyed and plotted. Where trees are proposed near water mains and sewers the proposed species, tree pit design and stand-off distance from the mains/sewer shall first be agreed with Yorkshire Water. The trees shall then be planted in accordance with the agreed details.

Reason: To ensure that proposed landscaping of the site does not result in harm to existing utilities.

15. Development shall not commence (other than the demolition works allowed under condition 3) until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a minimum 30% reduction of the existing positively drained runoff rate for the 1 in 1, 1 in 30 and 1 in 100 year rainfall events for the following locations Cowie Drive Car Park, Bus Hub and Selby Business Centre. A 30% allowance shall be included for climate change effects. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with Core Strategy Policy SP15.

16. No development shall take place (other than the demolition works allowed under condition 3) until an appropriate Exceedance Flow Plan for the site (as listed in condition 15) has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Detailed design, modelling calculations and plans of the drainage conveyance network should be submitted to show runoff is completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: To prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site in accordance with Core Strategy Policy SP15.

17. In the event that on-site SuDS or flow restriction be proposed as part of any larger development, the restricted flow measures or attenuation shall be put in

place before occupancy and within 3 months of development progressing on site.

Reason: In order not to increase flood risk downstream of sites during temporary works / development, in accordance with Core Strategy Policy SP15.

18. Prior to first use of the car parking areas details of the electric vehicle charging points for each dedicated parking space shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed and made available for use by the public in accordance with a phasing plan to be agreed.

Reason: To encourage the use of low emission vehicles, in turn reducing CO2 emissions and energy consumption levels in accordance with Plan Policy SP15.

- 19.A) Other than the demolition of James William House and the Railway Sports and Social Club, no demolition/development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

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

Reason: This condition is imposed in accordance with Section 16 of the NPPF paragraph 205) as the site is of archaeological significance.

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

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

### *INFORMATIVE – Detailed Plans of Road and Footway Layouts*

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

- (1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
  - (a) the proposed highway layout including the highway boundary
  - (b) dimensions of any carriageway, cycleway, footway, and verges
  - (c) visibility splays (horizontal and vertical)
  - (d) any affected buildings and site layout, including levels
  - (e) accesses and driveways (where applicable)
  - (f) drainage and sewerage system, including details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation in consultation with the Highway Authority.
  - (g) Road Marking and Signage Layout together with Sign Schedules
  - (h) traffic calming / traffic engineering measures
  - (i) all types of surfacing (including tactiles), kerbing and edging.
  - (k) details of street furniture including bollards, fencing, seating, bins, bus stop infrastructure
  - (l) details of vehicle restraint systems
  - (m) details of existing utility services apparatus (overhead and underground)
  - (n) details and specification of traffic signals, electronic systems, communications equipment
  - (o) landscaping and planting details including all trees, hedges and low level planting
  - (p) details of wayleaves, public rights of way
  - (q) details of barrier around areas of water within the development adjacent to the carriageways.
  
- (2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
  - (a) the existing ground level
  - (b) the proposed road channel and centre line levels
  - (c) full details of surface water drainage proposals, including SuDS features, storage tanks and attenuation systems
  
- (3) Full highway construction details including:
  - (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
  - (b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
  - (c) kerb and edging construction standard details
  - (d) typical drainage construction standard details.

- (4) Where applicable, details of the method and means of surface water disposal.
- (5) Details of all proposed street lighting. (This plan is also to show New Trees (green); Existing Trees (Greyscale) and Removed Trees (red))
- (6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
- (7) Full working drawings for any structures including retaining wall features which affect or form part of the highway network.
- (8) A programme for completing the works.

21 There must be no access or egress by any vehicles between the highway and the Selby Station Gateway scheme until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

*INFORMATIVE – Visibility Splays*

An explanation of the terms used above is available from the Local Highway Authority.

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

Reason: In the interests of highway safety.

*INFORMATIVE – Visibility Splays*

An explanation of the terms used above is available from the Local Highway Authority.

23 There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the Selby Station Gateway scheme at Selby until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular, cycle, and pedestrian accesses;
- vehicular and cycle parking for both residential, business users and associated commuters;
- manoeuvring arrangements
- Vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
- loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas for Selby Station Gateway scheme

have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

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

- 24 The following schemes of off-site highway mitigation measures must be completed as indicated below:

The Proposed Scheme includes delivering an enhanced public realm, new and improved walking and cycling routes, improved visual amenity and an improved gateway at Selby Railway Station. The scope of the work covers the following general elements:

a) The Selby Station Gateway

Transformation of the station frontage and surrounding highway infrastructure, including the creation of a new area of public realm, a new enhanced bus hub and improved walking and cycling links between the Town Centre and residential areas.

b) The Ousegate Active Travel Corridor

Implementation of active travel initiatives along Ousegate corridor between the Old Toll Bridge to the Denison Road canal bridge, including new public space at Ousegate Wharf.

c) The Eastern Station Access and Cowie Drive Surface Car Park

The creation of a new eastern station entrance and ramped cycle and pedestrian access to platforms 2 and 3, including the delivery of a new surface car park and associated access arrangements on Cowie Drive.

The following junction enhancements include:

a) A19 Barlby Road / Ousegate / A19 New Street

The footway located to the north east of the junction will be built out in order to promote connectivity for NMUs. The junction will be reconfigured and upgraded to include pedestrian controlled crossings on the northern and eastern approaches. A raised table will also be provided through the junction.

b) A19 The Crescent / Park Street signal-controlled junction

Repositioning and widening of existing pedestrian crossing points and the inclusion of a raised table through the junction. The footway at the eastern corner of the junction will be widened, bringing the kerb line out further into the junction.

c) Station Road / Ousegate priority junction

Station Road will become one-way carriageway in the northbound direction. A traffic island will be provided at the junction to enforce left-turn only movements on to Ousegate. Ousegate will also become a one-way carriageway in the northbound direction between Cowie Drive and the A19. At its junction with Station Road, Ousegate will be entry only on the south eastern approach and exit only on the north western approach.



The design details outlined above shall be generally in line with the indicative preliminary design scheme layout plan and parking strategy identified below:

- NYCC TCF - Selby Station Gateway Preliminary Design and Planning, Full Scheme Layout Plan, WSP, TCF-WSP-NYSE-XXX-DR-CH-01, Rev 01, Dated 05/11/21
- Parking Technical Note - Selby Station Gateway, WSP, 04/08/22.

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

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

An independent Cycle Level of Service (CLoS) and Junction Assessment Tool (JAT) audit in support of the proposal must be carried out in accordance with DfT LTN 1/20 Cycle Infrastructure guidance, which must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted CLoS/JAT prior to the commencement of works on site.

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

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

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

#### *INFORMATIVES*

##### *Delivery of off-site highway works*

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

##### *Delivery of safe and amenable access for Cyclist and Pedestrians*

Prior to commencement, details must be submitted to the LHA that demonstrate compliance with LTN 1/20 and applied design principles in accordance with Inclusive Mobility (DfT, 2021) and Manual for Streets.

Where site constraints result in deviations away from national design principles, these must be highlighted and assessed in consultation with the Local Highways Authority, to ensure road safety and accessibility is not compromised.

The LHA would not be accepting of any barriers that would inhibit safe and amenable access, including those with mobility issues, as per the Equality Act 2010 and Section 175A of the Highways Act 1980, which places a duty to have regard for the needs of blind and disabled people when carrying out works on the highway.

#### *Projections over Footways*

You are advised to ensure that any projection overhanging the footway is securely fixed and no part is less than 2.4 metres above the footway level and no closer than 0.5 metres to the edge of the carriageway.

#### *Landscaping*

Any landscaping within the site is to be positioned and maintained such that it does not encroach on or over the adjacent highway.

#### *Overhead Cables and Bridge*

You are advised that there is a bridge and overhead cables within the existing highway in the vicinity of the site. You should contact the owner of the cables/bridge to find out what protective measures are required before you can work in the vicinity of the cables. All lengths of existing or amended overhead line crossing the publicly maintained Highway or Definitive Rights of Way will need to be erected such that no part of the line comes within TBC height metres of the surface of the Highway or Right of Way.

In addition, a separate licence will be required from the Local Highway Authority in order to allow any works in the existing adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this informative.

#### *Public Rights of Way*

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary
- ii) If the proposed development will physically affect a Public Right of Way permanently in any way an application to the Local Planning Authority for a Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority for a Temporary Closure Order is required
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.

vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any proposals for altering the route.

*Protection of Routes for New Streets*

A New Street Order under the Highways Act 1980 exists fronting the site. You are required to contact the Local Highway Authority to discuss the implications of this order on the site.

You should not undertake any works until the new street boundary has been set out in accordance with details that have been agreed in writing the Local Highway Authority.

*Risk Management Authorities*

It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority.

- 24 To make the proposals acceptable to the Local Highway Authority multiple Traffic Regulation Orders will be required. This is governed by legislation outside the planning process and administered by the Local Highway Authority. Consequently, prior to commencement of the development, details of the Traffic Regulation Order for the delivery of Selby's TCF scheme (to include changes to speed limits, on-street parking restrictions, one-way streets and banned turns, prohibition of driving and inclusion of traffic Calming) should be submitted, processed and sealed by the Local Highway Authority. The approved details will be required to undergo the legal process required, including any public consultation and at the applicant's expense. Subject to the successful completion of this legal process the measures will be implemented at the applicant's cost.

Reason: To prevent abortive works and ensure the deliverability of the scheme prior to commencement.

- 25 No development for any phase of the development must commence until a Construction Management Plan for each phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

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

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. restriction on the use of any roads must be identified in consultation with the Local Highways Authority with for construction purposes;

3. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
7. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. protection of carriageway and footway users at all times during demolition and construction;
9. protection of contractors working adjacent to the highway;
10. details of site working hours;
11. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
12. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
13. measures to control and monitor construction noise;
14. an undertaking that there must be no burning of materials on site at any time during construction;
15. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
16. details of the measures to be taken for the protection of trees;
17. details of external lighting equipment;
18. details of ditches to be piped during the construction phases;
19. a detailed method statement and programme for the building works; and
20. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity

## **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.

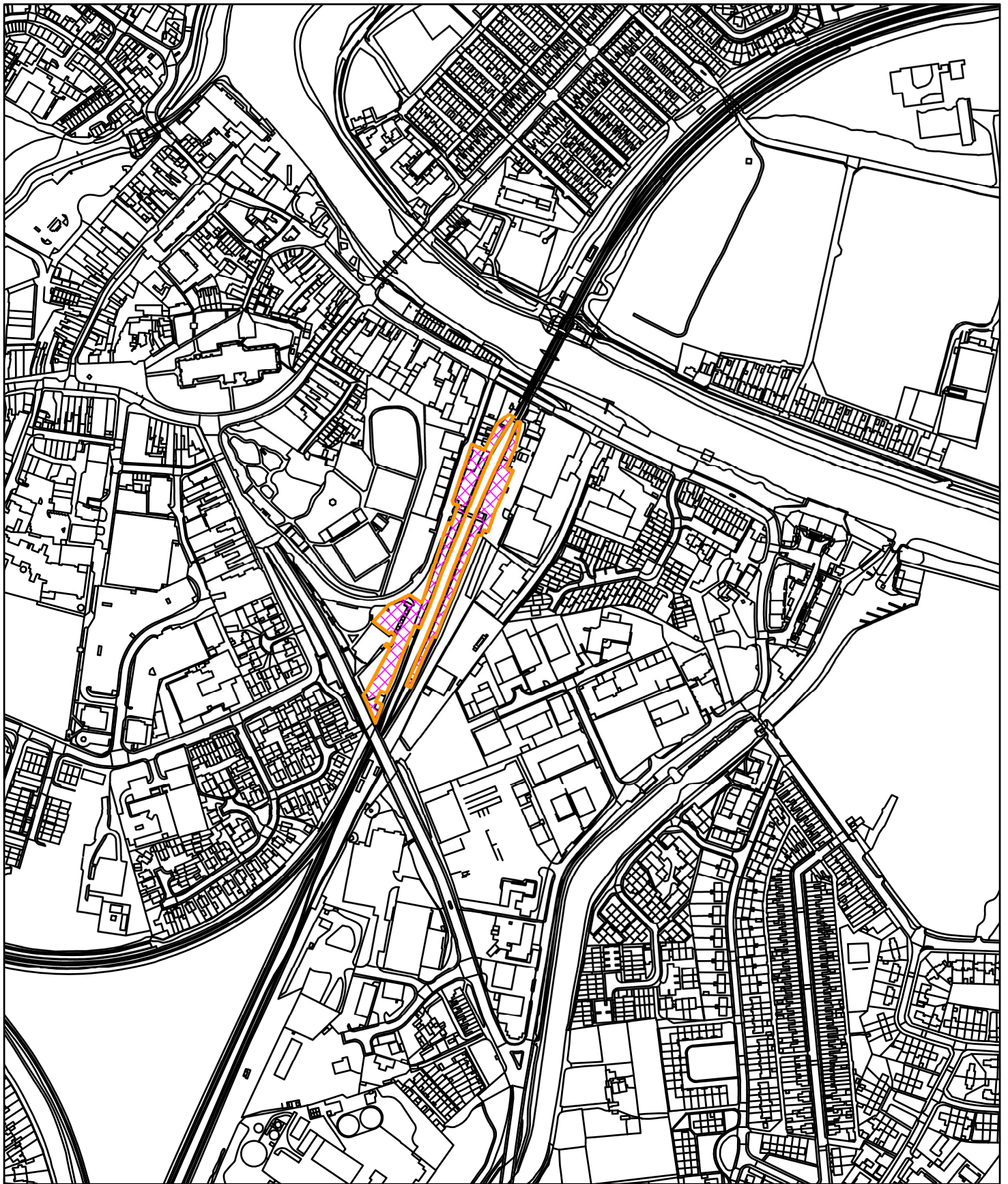
## **10 Background Documents**

**Planning Application file reference 2022/0031/EIA and associated documents.**

**Contact Officer: Linda Drake (Project Planning Officer)**

**Appendices: None**

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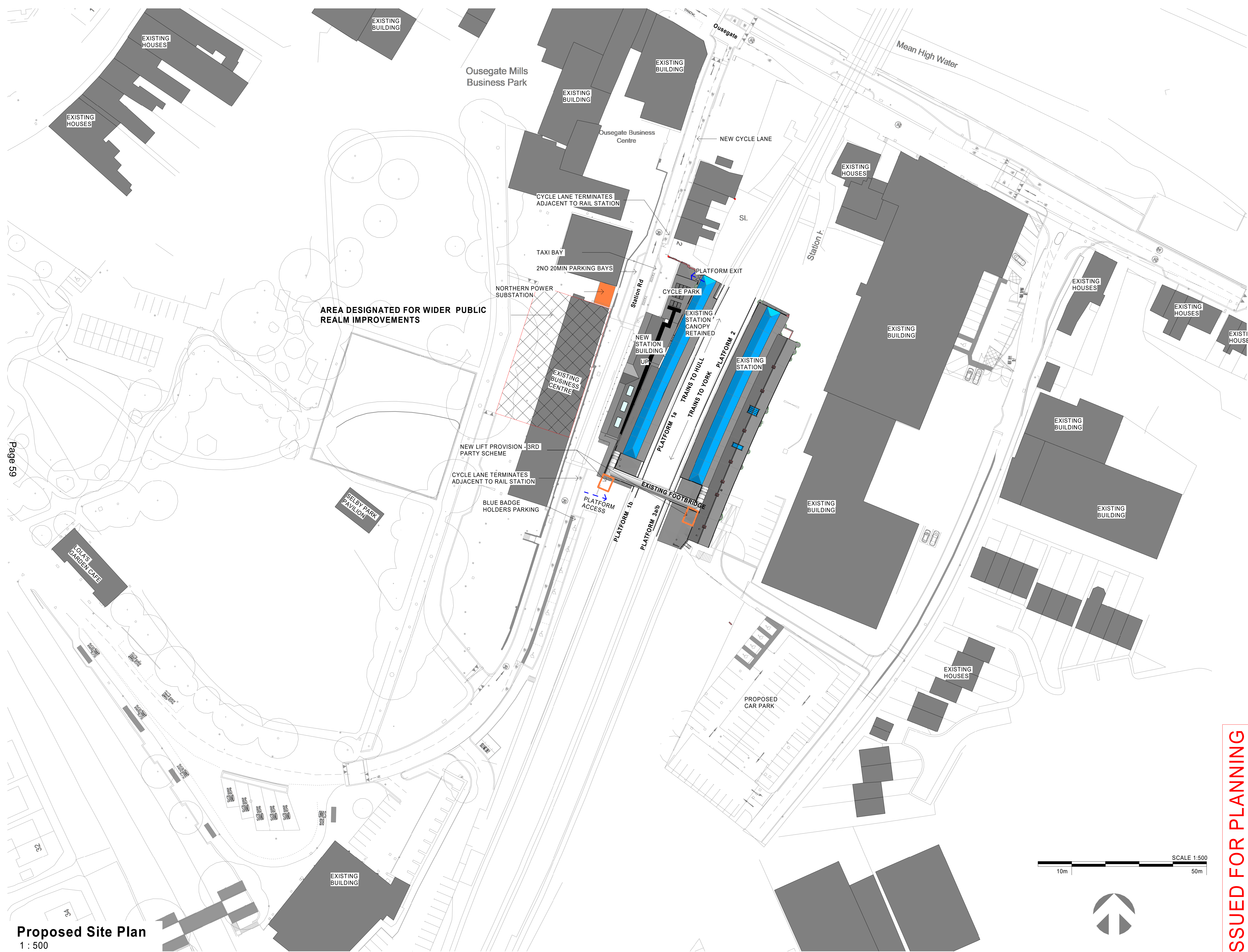
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Rev	Date	By	Description
P1	09/08/2021	SE	Preliminary issue
P2	01/10/21	SE	Roof plan updated to latest design
P3	05/11/21	RH	Updated further to discussions with Engineers - Crestory Wall adjusted
			Issued for DR
D01	02/12/21	SE/RH	Issued for DR
A01	17/12/21	SE/RH	Issued for GRIP Stage 4 Review
P4	07/01/22	SE/RH	Issued for Planning
P5	11/01/22	RH	Red line boundary information removed for clarity



AREA DESIGNATED FOR WIDER PUBLIC REALM IMPROVEMENTS

Page 59

**Proposed Site Plan**  
1 : 500

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# SGP

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**ISSUED FOR PLANNING**

Selby Station, Station Road, Selby, YO8 4NW

Drawing Name:  
PROPOSED SITE PLAN

Drawing Stage: **PLANNING**

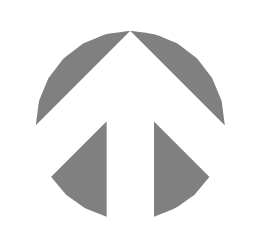
Status: **S3 - SUITABLE FOR REVIEW AND COMMENT**

SGP File Ref: 20-098

20-098 07/30/21 SE Leeds 1:500@A1 P5  
SGP Project No: Date: Drawn: Team: Scale: Rev:

Drawing Number:

**20098-SGP-SEL-ZZ-DR-A- 131001**  
Project Code Originator Volume Level Type Role Number





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**Report Reference Number 2022/0032/LBC**

**To: Planning Committee**  
**Date: 7<sup>th</sup> September 2022**  
**Author: Linda Drake (Planning Project Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2022/0032/LBC	PARISH:	Selby Town Council
APPLICANT:	North Yorkshire County Council	VALID DATE: EXPIRY DATE:	17th January 2022 30 <sup>th</sup> September 2022
PROPOSAL:	Listed building consent for alterations to the Grade II listed Selby Railway Station including the demolition of the existing mid-twentieth-century station building, the construction of a replacement new pavilion style station building, creation of new access points and associated works		
LOCATION:	Selby Station Station Road Selby North Yorkshire YO8 4NW		
RECOMMENDATION:	GRANT		

This application has been brought before Planning Committee as it relates to planning application reference 2022/0031/EIA which has also been brought before Planning Committee for consideration and because Selby District Council are cited as part applicant with North Yorkshire County Council on the application forms.

## 1. INTRODUCTION AND BACKGROUND

### Site and Context

- 1.1 The application site comprises the entrance building to Selby Station, which lies within the Selby Conservation Area. Although not original the station entrance building is Grade II listed along with the station, the listing including the cast iron canopies on both platforms, the footbridge, and benches (NHLE 1365807).
- 1.2 Opposite the station entrance lies Selby Business Centre with Selby Park and the Abbey beyond. There is car parking to the front and side of the station and residential to the north-east along Station Road. Also within the local area are numerous listed buildings including Grade I Selby Abbey, the Grade II listed K6 telephone kiosk south of the Minster, the Grade II listed Railway Goods Shed (Former railway station) and the Grade II Jolly Sailor Inn.

- 1.3 This application has been submitted for consideration alongside application 2022/0031/EIA, also on this agenda, and seeks approval for the demolition of the existing station building on Station Road and erection of a new building.
- 1.4 The application forms a key element of the Selby Station Gateway Transforming Cities Fund proposal. Listed building consent has already been granted for alterations to the footbridge to accommodate lift towers; bridge strengthening works and refurbishment; alterations to openings on station buildings located on Platforms 1 and 2 and erection of temporary footbridge as part of the Access for All scheme to improve access and facilities at the station.

### **The Proposal**

- 1.5 Listed building consent is applied for the demolition of the existing 20<sup>th</sup> Century station entrance building and the construction of a replacement pavilion style station building. The new station building would be constructed from brick with glazed curtain walling to front and rear, dark grey standing seam metal roof. Single storey in height it does not exceed the height of the adjacent wrought iron listed canopies, which has been designed with a flat roof at the rear that sits underneath the canopy structures. Rooflights and clerestory windows will allow natural light to enter the building and allow for views through to the platform canopies and footbridge.
- 1.6 Planning permission for the proposal is sought under application 2022/0031/EIA, also on this agenda.
- 1.7 The application is supported by various documentation, including a Historic Environment Desk-Based Assessment dated Jan 22, prepared by WSP.

### **Relevant Planning History**

- 1.8 There is an extensive planning history on this site, the most relevant applications are:
  - 2015/0276/FUL - Installation of pre fabricated cycle storage and shelter units to the North and South of existing Platform 1. Decision: PER Decision Date: 20-MAY-15
  - 2021/0615/LPA - Prior approval for alterations to existing footbridge to accommodate lift towers; ridge strengthening works and refurbishment; alterations to openings on station buildings located on Platforms 1 and 2 and erection of temporary footbridge as part of the Access for All scheme. Decision: A7PER, Decision Date: 17-AUG-21
  - 2021/0614/LBC - Listed building consent for alterations to existing footbridge to accommodate lift towers; bridge strengthening works and refurbishment; alterations to openings on station buildings located on Platforms 1 and 2 and erection of temporary footbridge as part of the Access for All scheme. Decision: PER, Decision Date: 17-AUG-21
  - 2022/0031/EIA - External and associated internal alterations to Selby rail station, demolition in a conservation of the part of the station building, Selby Business Centre, the Railway Sports & Social Club, James Williams House, boundary walls along Ousegate at the entrance to Cowie Drive, and lean-to

at the railway goods shed. Reconfiguration of the bus station, highway alignments along Station Road, Ousegate, the Crescent/Park Street Junction. Public realm and landscaping improvements at the Wharf on Ousegate, Station Road and Selby Park. The creation of an underpass tunnel beneath Bawtry Road and creation of a new surface car park at Cowie Drive and new pedestrian and cycle access into the station from Cowie Drive. Inclusion of new bus stands, street furniture and EV bus charging points. DECISION PENDING

## **2. CONSULTATION AND PUBLICITY**

2.1 **Parish Council** – No response received.

2.2 **Conservation Consultant** – Comments have been provided as part of a wider response to the TCF proposal. No specific concerns or objection have been raised regarding the station LBC application.

2.3 **Historic England** – No objection to the proposal. In summary their response is as follows:

- The Selby Station Gateway project proposes transformational changes to the GII listed station and Selby Conservation Area. The project will also have an impact on the setting of a number of listed buildings and abuts the Selby High Street Heritage Action Zone (HSHAZ). The Station Gateway and HSHAZ projects are complementary in their aspirations for a more active, connected and attractive town centre and together they comprise a very significant investment in urban renewal and regeneration in Selby. The proposals for the new station building, public realm and connection to the town centre are an exciting part of the proposals with potential for substantial benefits to the conservation area and setting of surrounding listed buildings.
- Welcome the proposals and have no objection to the replacement of the current station entrance with a new construction. The scale and style of the proposed new station building is sympathetic to the retained listed canopies and the materials appear appropriate for the character of the conservation area.
- The proposals for the station building support the requirements of paragraph 130 of the NPPF which promote developments which "will function well and add to the quality of the area" and "are sympathetic to local character and history". In removing elements that detract from the character of the conservation area and listed station, the proposals are also in accordance with paragraphs 197 and 206 of the NPPF.
- Recommend a condition to any consent requiring approval of material samples prior to installation.

2.4 **Society For The Protection Of Ancient Buildings** – No response received within consultation period.

2.5 **Historic Buildings & Places** – Advise that they do not wish to make any comments and defer to specialist advice of the LPA Conservation Officers

2.6 **Council For British Archaeology** – No response received within consultation period.

- 2.7 **Georgian Group** – The Georgian Group has not responded as the application building is outside our remit of 1700-1840.
- 2.8 **The Victorian Society** – No response received within consultation period.
- 2.9 **Twentieth Century Society** – No response received within consultation period.
- 2.10 **Publicity** - The application was advertised by site notice and press advertisement. No representations have been received.

### **3. SITE CONSTRAINTS**

- 3.1 The site lies within the Selby Town Conservation Area. The station, its canopies and buildings are Grade II listed and there are numerous listed buildings in the surrounding local environment.

### **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**

The relevant Core Strategy Policies are:

SP1 – Presumption in Favour of Sustainable Development  
SP15 – Sustainable Development and Climate Change  
SP18 – Protecting and Enhancing the Environment  
SP19 – Design Quality

## **Selby District Local Plan**

The relevant Selby District Local Plan Policies are:

ENV1 – Control of Development  
ENV24 – The Conservation, Alteration, Extension or Change of Use of a Listed Building

## **5. APPRAISAL**

- 5.1 As the application seeks listed building consent for works to the listed station buildings, the main issue to be considered in assessing this application is the impact on the listed buildings as designated heritage assets and their setting.
- 5.2 The legislative framework relating to listed buildings is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 16(2) requires the Local Planning Authority when considering whether to grant listed building consent for any works to “have special regard to the desirability of preserving the building or its setting as well as any features of special architectural or historic interest which it possesses.”
- 5.3 Section 16 of the NPPF outlines national policy for conserving and enhancing the historic environment. At paragraph 197, it advises that local planning authorities should take account of: “a) the desirability of sustaining and enhancing the significant of heritage assets..., b) the positive contribution [they] can make to sustainable communities including their economic vitality, and c) the desirability of new development making a positive contribution to local character and distinctiveness.” It goes at paragraph 199 to state that, “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
- 5.4 The legislative background and national policy is specifically reflected in saved Policy ENV24 of the Local Plan and SP18 of the Core Strategy. Policy ENV24 only permits works to a listed building where it can be demonstrated that the proposal: would not adversely affect the architectural and historic character of the building and its setting, and not harm the historic fabric of the building. New elements need to be appropriate in scale, design, detailing and materials.
- 5.5 The proposal was the subject of pre-application discussions resulting in the submitted scheme. The application is supported by a Historic Environment Desk-

Based Assessment (Jan 22) prepared by WSP that sets out the significance of the above ground heritage assets and undertakes an impact assessment of the proposed scheme.

- 5.6 The existing building does not reflect historic railway architecture which was designed to a quality and style that celebrated travel and arrival. Therefore, its demolition and replacement are considered to be acceptable in principle. The scale and pavilion-style design of the proposed new station building would be sympathetic to the retained listed platform canopies and the palette of materials would be complementary to them and the wider historic setting, including that of surrounding listed buildings. The proposed replacement building is considered to be an improvement to the entrance to the listed station and as such it would enhance the significance of the heritage assets.
- 5.7 Consultation has been undertaken with heritage stakeholders, as outlined in section 2 above. Historic England welcomes the proposal, raising no objection to the replacement of the current station entrance building, though recommends a condition to be imposed on any consent granted requiring approval of material samples for the new building prior to installation. The Council's Conservation Consultant has not raised any specific issues relating to the proposal.
- 5.8 In light of the above, the application for listed building consent is considered to be acceptable and complies with national and local planning policy, in particular paragraph 197 of the NPPF and Policy ENV24 of the Local Plan. A condition requiring approval of the palette of materials to be used is considered reasonable in order to ensure a high-quality development and to ensure that the detailing is appropriate to both the stations listed status, its setting and the impact on the wider historic environment.

## **6. CONCLUSION**

- 6.1 The application seeks listed building consent to demolish the existing station entrance building and replace it with a new building as part of the Selby Station Gateway Transforming Cities Fund Scheme. The proposal would not result in harm to the Grade II listed station. Despite the lack of harm identified, it would provide public benefits to the historic environment, to station users and the wider community. As such, it is considered to be acceptable and would comply with Policies ENV1 and ENV24 of the Selby District Local Plan, Policies SP18 and SP19 of the Core Strategy, Section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 and the guidance contained within section 16 of the NPPF.

## **7. RECOMMENDATION**

This application is recommended to be APPROVED 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: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



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

- Existing Station Layout - 20098-SGP-SEL-00-DR-A- 130000 Rev P4
- Existing Building Sections - 20098-SGP-SEL-00-DR-A- 130200 Rev P2
- Existing Site Plan - 20098-SGP-SEL-XX-DR-A- 100000 Rev P2
- Existing Elevations - 20098-SGP-SEL-XX-DR-A- 020300 Rev P1
- Proposed Site Plan - 20098-SGP-SEL-ZZ-DR-A- 131001 Rev P5
- Location Plan - 20098-SGP- SEL-XX-DR-A- 130002 Rev P3
- Proposed Elevations - 20098-SGP-SEL-XX-DR-A- 021300 Rev P6
- Proposed GA Sections Sheet 1 - 20098-SGP-SEL-XX-DR-A- 101202 Rev P6
- Proposed Roof Plan - 20098-SGP-SEL-RF-DR-A- 101104 Rev P5
- Proposed Step-free Route Plan - 20098-SGP-SEL-00-DR-A- 131103 Rev P1
- Proposed New Station Building Layout - 20098-SGP-SEL-00-DR-A- 131101 P7
- Demolition Plan - 20098-SGP-SEL-00-DR-A- 130001 Rev P2

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the submitted plans and details, prior to the erection of the building hereby permitted, details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. This shall include samples of the brickwork and standing seam metal roof and confirmation of RAL colours to be used. The approved materials shall be used in the development.

Reason: In order to ensure that they do not harm the significance of the listed building and in order to comply with Policies ENV1 and ENV24 of the Selby District Local Plan.

## **8. Legal Issues**

### **8.1 Planning Acts**

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

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

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

### **8.3 Equality Act 2010**

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

## **9. Financial Issues**

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

## **10. Background Documents**

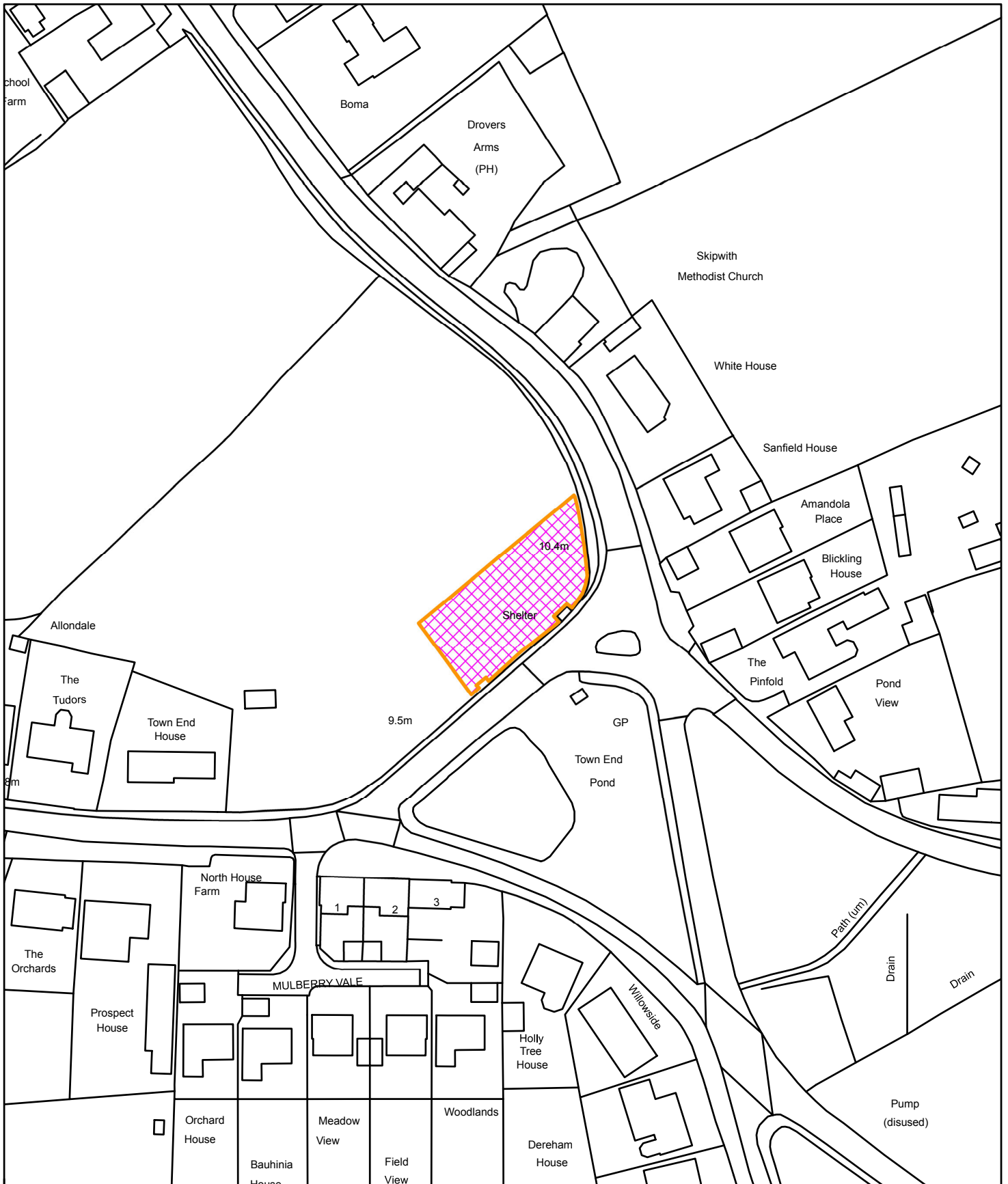
10.1 Planning Application file reference 2022/0032/LBC and associated documents.

Contact Officer: Linda Drake (Planning Project Officer)

Appendices: None

# Agenda Item 5.3

Land off Main Street, Skipwith  
2022/0188/FUL



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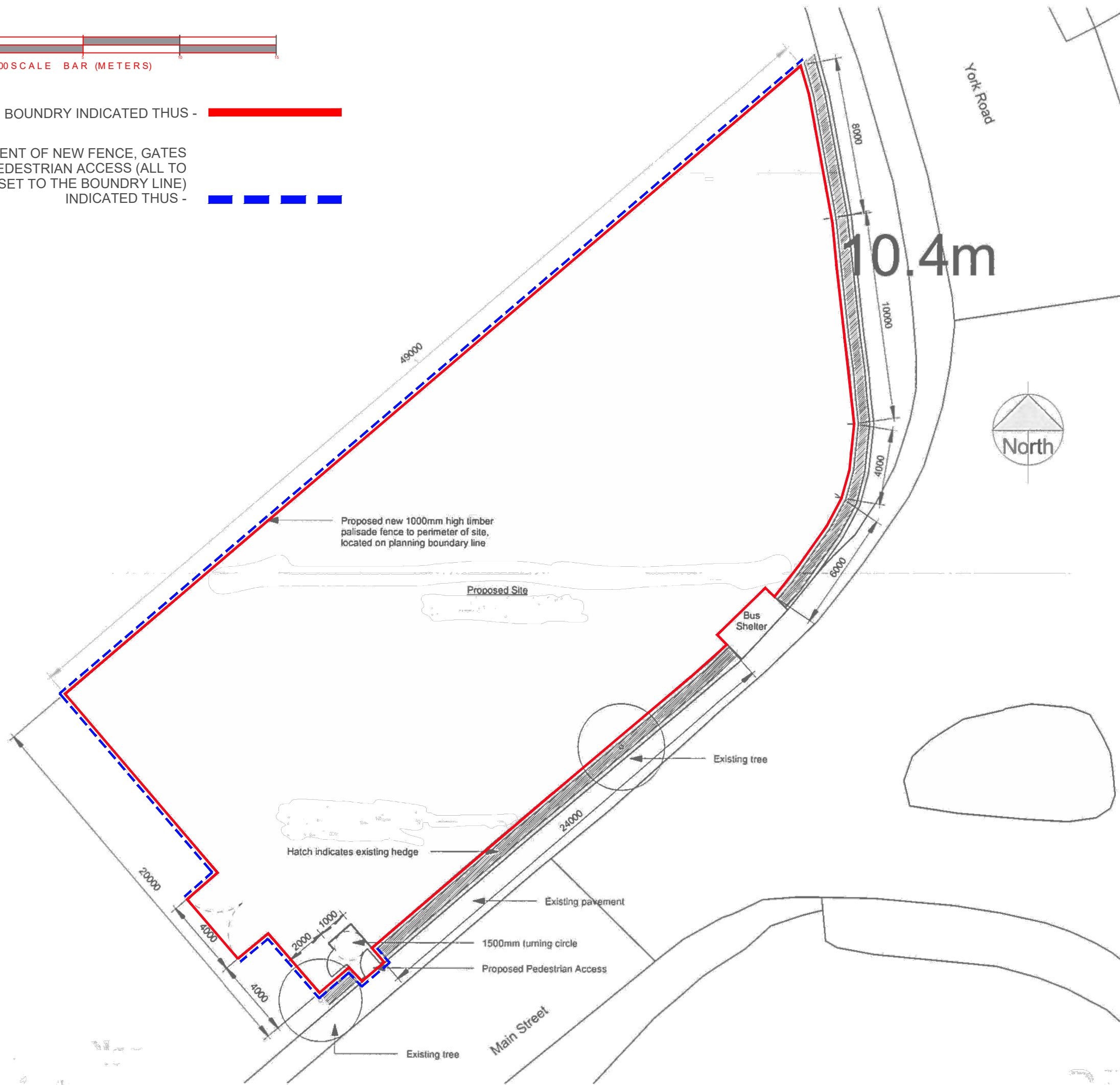
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SITE BOUNDARY INDICATED THUS -

EXTENT OF NEW FENCE, GATES AND PEDESTRIAN ACCESS (ALL TO BE SET TO THE BOUNDRY LINE) INDICATED THUS -

Page 71



DO NOT SCALE. WRITTEN DIMENSIONS TO BE USED IN PREFERENCE TO SCALED DIMENSIONS. ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR	
JOB TITLE SKIPWITH PARISH COUNCIL PROPOSED WILDFLOWER MEADOW	
DRAWING TITLE SITE PLAN	
SCALE 1:200 @ A3	DRAWING No 001
DATE 09.02.2022	
DRAWN BY JRS	

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**Report Reference Number 2022/0188/FUL**

**To: Planning Committee**  
**Date: 7<sup>th</sup> September 2022**  
**Author: Emma Howson (Senior Planning Officer)**  
**Lead Officer: Hannah Blackburn (Planning Development Manager)**

APPLICATION NUMBER:	2022/0188/FUL	PARISH:	Skipwith Parish Council
APPLICANT:	Skipwith Parish Council	VALID DATE: EXPIRY DATE:	28th March 2022 14 <sup>th</sup> October 2022
PROPOSAL:	Change of use of land from agricultural to recreational area with new perimeter timber fence to 2 No sides with double gates, new pedestrian access and 3 No new rustic timber benches		
LOCATION:	Land Off Main Street Skipwith Selby North Yorkshire		
RECOMMENDATION:	Grant		

This application was deferred at 6<sup>th</sup> July Committee due to unresolved objections from the landowner. These have now been resolved.

This application has been brought before Planning Committee as 3.8.9(b)(vi) is triggered as there have been more than 10 letters of representation received which raise material planning considerations and where officers recommend determination contrary to these representations.

## **1. INTRODUCTION AND BACKGROUND**

### **Site and Context**

- 1.1 The application site comprises of an existing open field situated at the junction of Main Street and York Road and directly opposite the village pond, which is located to the south of the site.
- 1.2 Residential properties exist to the east and west of the site with open fields to the north.

- 1.3 The application site was transferred to Skipwith Parish Council under a lease agreement in relation to a signed S106 legal agreement for the provision of open space in relation to planning approval 2014/0894/FUL.

### **The Proposal**

- 1.4 The application originally sought permission for a wildflower meadow however the description has been amended following consultation with the landowner. The application now seeks permission to change the use of the land from agricultural to the creation of a recreational area, with new perimeter timber fencing to 2 No sides with double gates, a new pedestrian access and 3 No new rustic timber benches.
- 1.5 The proposed fencing is 1m in height and will be in the form of timber post and rail design. The gates both pedestrian and vehicular are also of the same style and 1m in height.
- 1.6 The proposed benches are shown on the amended location plan, along with photographs of the style of bench (rustic timber) and the materials to be used on the small area of hardstanding to be provided (Yorkshire Flagstone) at the juncture of the pedestrian access point and the highway.

### **Relevant Planning History**

- 1.7 The following historical applications are considered to be relevant to the determination of this application.
- 2014/0894/FUL - Proposed redevelopment of farmstead (including the conversion of former agricultural buildings) to provide 14 No dwellings, garaging, and hard and soft landscaping PER 03 Dec 2015.
  - 2016/0119/COU - Change of use of land from agricultural land to a children's play area on land off Main Street, adjacent to York Road PER 03 Jun 2016.
  - 2018/0051/FULM - Erection of 14 dwellings with associated access, garages and parking PER 12 Aug 2019.
  - 2019/0884/DOC - Discharge of conditions 3 (facing materials), 5 (surface water drainage), 9 (site access), 11 (wheel washing), 12 (construction method statement), 13 (landscaping) and 14 (external works) of approval 2018/0051/FULM for erection of 14 dwellings with associated access, garages and parking PER 23 Dec 2020.
  - 2019/0892/S73 - Section 73 application for erection of 14 dwellings with associated access, garages and parking without complying with condition 2 (approved plans) of approval 2018/0051/FULM granted on 12 August 2019 PER 23 Dec 2020.

## **2. CONSULTATION AND PUBLICITY**

### **2.1 County Ecologist**

No objections.

### **2.2 NYCC Highways**



No local highway authority objections to the proposed development.

### **2.3 Ouse & Derwent Internal Drainage Board**

The Board has no comment to make on the proposal.

### **2.4 Publicity**

The application has been advertised by site notice. Twenty-three representations have been received.

Eighteen raise objections to the proposal on the following grounds:

- The land is set aside for a children's play area in line with the S106 agreement in relation to planning application 2014/0894/FUL.
- There is a need for a children's play area in the village as there are no nearby facilities.
- There is no need for a wildflower meadow in close proximity to Skipwith Common.
- Unsuitable recreational land for children to use if changed into a wildlife meadow.

Five letters of support have been received which state that this would be a positive contribution to the area.

A letter of objection was received from the landowner however this has now been removed following on from an agreement to change the wording of the description of the development.

The application has been re-advertised to include the new description and no further comments have been received.

## **3. SITE CONSTRAINTS**

### **Constraints**

- 3.1 The application site is located outside defined Development Limits in Open Countryside and forms part of a Strategic Countryside Gap.

## **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:  
  
SG1 – Strategic Countryside Gaps  
ENV1 – Control of Development  
T1 – Development in Relation to the Highway Network  
T2 – Access to Roads  
RT5 – Informal Recreation and Access in the Countryside

### **National Planning Policy Framework**

4.8 The relevant sections of the NPPF are:  
  
2 – Achieving sustainable development  
4 – Decision-making  
8 – Promoting healthy and safe communities  
11 – Making effective use of land  
12 – Achieving well designed places  
15 – Conserving and enhancing the natural environment

## **5. APPRAISAL**

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

- The position with regards the S106 agreement
- The principle of development
- Visual Impact/Impact on Open Character
- Residential Amenity
- Highway Safety
- Ecology
- Drainage
- Other Matters

### **The position with regards the S106 agreement**

- 5.2 The application site was transferred to the Parish Council under a lease agreement associated with a S106 agreement in relation to planning approval 2014/0894/FUL in order to provide the open space contribution required for the proposed housing development for 14 units.
- 5.3 The S106 agreement covenant stated:
- A Provision of open space
- The Owner hereby undertakes and covenants to contribute to the need for the provision of recreational public open space generated by the Development by entering into and executing a lease of a play area with Skipwith Parish Council in the form attached to this Deed at Appendix A ('the Lease') or in a substantially similar form Mutatis Mutandis and to complete such lease forthwith on receipt of a request so to do from Skipwith Parish Council provided always that if Skipwith Parish Council fails to make such a request and does not complete the Lease within one month of the Commencement of Development then the Owner will make a commuted payment to a total maximum value of £15,330 to be sued for the provision of new or the enhancement of existing recreational open space within Skipwith Parish Council of the Locality.*
- 5.4 The lease attached to the S106 at Appendix A refers to the lease of a play area. Nowhere within the S106 or the lease agreement is there any requirement that this area must be a 'children's play area' or that provision must be made for play equipment.
- 5.5 The land was duly transferred to the Parish Council, however a subsequent application to develop the site was approved under 2018/0051/FULM for the provision of 14 houses. As the land transfer was already completed it was considered that there was no requirement for open space provision in relation to this approval and the S106 agreement was not transferred to the 2018 approval.
- 5.6 The 2018 approval was duly implemented (not the 2014 approval) and thus the S106 agreement was no longer attached to any implemented approval and therefore lapsed. This has been confirmed by the Council's Monitoring Officer and by the fact that no requests were made for the outstanding education monies also included within the S106 agreement.
- 5.7 There is therefore no requirement for a 'children's play area' to be provided by the Parish Council in relation to the S106 or implicitly within the lease agreement with the landowner. The Parish Council have provided confirmation that the landowner has no objection to the use of the land as a wildflower meadow.

- 5.8 The Parish Council applied for permission to provide children's play equipment in 2016 which was approved; however, this was not implemented as there were no monies available to provide and maintain the equipment as this was not part of the original S106 agreement.

### **Principle of Development**

- 5.9 Saved Policy SP1 of the Core Strategy outlines "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.
- 5.10 The application site is located outside the defined development limits of Skipwith and is located within the Countryside on land that is designated as a Strategic Countryside Gap.
- 5.11 Paragraph 92 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places through the support for healthy lifestyles by the provision of safe and accessible green infrastructure. Whilst paragraph 93 specifies the need for the provision of open space. Paragraph 98 goes on to say that the provision of high-quality open spaces is important for the health and well-being of communities and can deliver wider community benefits.
- 5.12 Core Strategy SP2 sets out the Council's hierarchical spatial strategy that seeks to direct development to existing towns and larger villages in order to deliver sustainable development. Under SP2A (c) seeks to restrict development in the Countryside.
- 5.13 The site is also within a Strategic Countryside Gap and thus Policy SG1 applies, which seeks to protect against development which would have an adverse impact on the open character of the countryside or where the gap between settlements would be compromised.
- 5.14 Also relevant is Saved Local Plan Policy RT5, which supports proposals for small-scale developments associated with informal public use and enjoyment of the countryside subject to conditions.
- 5.15 The application site is an open agricultural field and the Parish Council seek permission to change the use to a recreational area. The plans show that this will be grass and wildflowers. The proposal also includes the erection of timber post and rail fencing; gates; hardstanding and the provision of 3 no. benches.
- 5.16 It is considered that the use of the land for recreational purposes is a suitable use in the open countryside and in a Strategic Countryside Gap and therefore the proposal is acceptable in principle subject to no other planning considerations outweighing the benefit of the proposal.

### **Visual Impact/Impact on Openness**

- 5.17 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapers and recognising the intrinsic character and beauty of the countryside.

- 5.18 SDLP Policy ENV1 requires the potential loss, or adverse effect on features important to the character of the area to be considered.
- 5.19 CS Policy S18 seeks to sustain the high quality and local distinctiveness of the natural and manmade environment. Policy SP19 seeks good design. SDLP Policy RT5 states that the proposal should not be intrusive by virtue of associated noise or appearance, whilst Policy SG1 states that development will not be permitted where there would be an adverse effect on the open character.
- 5.20 The proposal is for a change of use of the land for recreational purposes including fencing, hardstanding and benches. The overall proposal would not impact on the openness of the area as the open character of the site would remain intact. The proposed fencing is small scale only 1m in height and is of a design which would be commonly found in the open countryside. The three benches would be placed within the site, but again due to the small scale and rustic design would not be overtly prominent and would not impact on the open character of the landscape.
- 5.21 The site boundary with the highway comprises of a large hedgerow and this provides a high level of screening to the majority of the site. The small area of Yorkshire Flagstone to be provided has been discussed with the Highways Authority to enable a suitable transfer between the site and the footway. This small area would be of limited visual impact due to its scale and would not detract from the character of the area. The proposal is therefore considered to comply with SDLP Policies ENV1, RT5 and SG1, Core Strategy Policies SP18 and SP19 and the guidance within the NPPF.

### **Residential Amenity**

- 5.22 Relevant policies in respect to impacts on residential amenity include Policy ENV1(1) of the Local Plan. It reflects policy in the NPPF at paragraph 130(f), which seeks a high standard of amenity for existing and future users.
- 5.23 The application site is situated outside the development limits of Skipwith, but in relatively close proximity to the nearby residential properties. The use of the land for recreational purposes has the potential to create more noise than the existing agricultural use of the site, however it is well screened by the existing hedgerow, which would also provide a buffer for noise emanating from the site. The use of the land would also be intermittent, remaining free from use for significant periods. There is no external lighting proposed, which would reduce the timescales that residents may choose to use the site and therefore reduce the overall impact of any noise from the site.
- 5.24 Overall the site would provide an area of recreational open space for the village and thus would improve the overall residential amenity of the residents of Skipwith. It is considered that the proposed development would have a positive impact on residential amenity and would comply with Policy ENV1(1) of the Local Plan and paragraph 130 of the NPPF.

### **Highway Safety**

- 5.25 Saved Policies ENV1(2) and T2 of the Local Plan require 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.

- 5.26 The proposed development provides for pedestrian and vehicular access to the site. Vehicular access is required to maintain the site only. NYCC Highways Authority have been consulted on the proposal and raise no objections. The proposal is considered to accord with relevant Local Plan policies relating to highway safety.

### **Ecology**

- 5.27 Core Strategy Policy SP18 (1) and (3) seek to protect and enhance biodiversity within the District whilst Saved Policy ENV1 (5) seeks to protect wildlife habitats.
- 5.28 NYCC Ecologist has been consulted on the application and raises no concerns with the proposal. It is considered that the provision of a wildflower meadow has the potential to improve the biodiversity associated with the land and therefore would comply with the above policies.

### **Drainage**

- 5.29 Relevant policies in respect to drainage include saved Policy ENV1(3) of the Local Plan and Policy SP15 of the Core Strategy.
- 5.30 The change of use of the land and the associated works will not have any significant impact on the local drainage infrastructure.

### **Other Matters**

- 5.31 Several objections have been received from the residents of Skipwith, in relation to the change of use of the land as it is considered that the land has already been allocated for the provision of a children's play area.
- 5.32 The S106 referred to in these objections is now lapsed as explained previously in this report and did not require the provision of a children's play area, merely the transfer of the land to provide a play area in terms of open space provision.
- 5.33 This application seeks permission to change the use of the land for recreational purposes which is in line with the open space provision intended by the S106 and whilst there may be a preference locally for a children's play park, there is no legal requirement for its provision. The preference for a park of this kind is therefore not a material planning consideration in the determination of this application, which should be determined based on the details submitted and the impacts of this proposal.

## **6. CONCLUSION**

- 6.1 This application seeks permission for the change of use of the land to a recreational area including the provision of gates, fencing and 3 no. benches.
- 6.2 The proposal would not lead to harm to the character of the area, residential amenity, drainage, highway safety, ecology or an adverse impact on the openness of the Strategic Countryside Gap and would comply with both national and local planning policies.
- 6.3 The proposal would provide a positive contribution to the area in terms of provision of open space and recreational facilities which would benefit the local community in accordance with paragraph 98 of the NPPF. The proposal would therefore accord

with Policies ENV1, T1, T2, RT5 and SG1 of the Selby District Local Plan, Policies SP1, SP2, SP15, SP18 and SP19 of the Core Strategy and the NPPF.

## 7. RECOMMENDATION

This application is recommended to be GRANTED subject to conditions:

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

Reason:

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

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

Site Location Plan – 004-B  
Layout Plan - 001  
Fence and Gate Details – 002

Reason:

For the avoidance of doubt.

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 2022/0188/FUL and associated documents.

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

Appendices: None

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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
2019/1076/ADV	The Works	Brighthouse 20 Market Cross Selby YO8 4JS	Advertisement consent for 1 No internally illuminated fascia sign, 5 No non illuminated fascia signs and 2 No internally	PERMITTED 5 Aug 2022	Bethany Harrison
2020/0130/DOC	Mrs Helen Oades	Land West Of Blackthorn Farm Balne Moor Road Balne Goole	Discharge of conditions 02 (external finish of barn and entrance gate) and 04 (lighting) of approval 2016/0929/FUL for proposed erection of a new gate and wall to the front of the site, erection of a barn and outdoor horse arena	CONDITION DECISION 3 Aug 2022	Mandy Cooper
2020/0409/DOC	G Gilbertson	Bridge Farm Main Street Biggin Leeds West Yorkshire LS25 6HJ	Discharge of condition 01 (access) of approval 2013/0302/FUL Retention of 2No. stable blocks, portacabin and menage	REFUSED 1 Aug 2022	Mandy Cooper
2020/0790/HPA	Mr & Mrs Wright	Woodsetts Milford Junction South Milford Leeds West Yorkshire LS25 5DG	Proposed extensions and alterations to existing dwelling	PERMITTED 2 Aug 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>
2020/1259/FUL	Mr David Robinson	Byways School Lane Bolton Percy York Tadcaster North Yorkshire YO23 7BF	Erection of timber stable building (Retrospective)	PERMITTED  10 Aug 2022	Mandy Cooper
2021/0161/FUL	Mr & Mrs Houseman	D'Oyly Tearoom North House Farm Oxton Lane Bolton Percy York North Yorkshire YO23 7AL	Construction of a gazebo in the tea room garden (retrospective)	REFUSED  3 Aug 2022	Mandy Cooper
2021/0662/FUL	Mr R Burdett	Margyl Cottage 40 Main Street Monk Fryston Selby North Yorkshire LS25 5EG	Erection of detached two storey dwelling with associated detached garage	PERMITTED  19 Aug 2022	Elizabeth Maw
2021/0742/HPA	Kris Moore	Bowers House Farm Pighill Nook Road Hillam Selby North Yorkshire LS25 5HX	Replacement of existing garage and erection of new garage with annexe over	REFUSED  11 Aug 2022	Jordan Fairclough

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/0855/DOC	St Francis Group	Eggborough Power Station Selby Road Eggborough Selby North Yorkshire DN14 0BS	Discharge of conditions 13 (Construction and Environmental Management Plan) 33 (Construction Traffic Management Plan) and 42 (Construction Management Plan) 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  2 Aug 2022	Gareth Stent
2021/0881/ADV	Harrison Spinks Events	The Motorist Lennerton Lane Sherburn In Elmet Leeds North Yorkshire LS25 6JE	Advertisement consent for 1 double sided sign with downlighter to one side	REFUSED  3 Aug 2022	Bethany Harrison
2021/1005/HPA	Mr & Mrs Haw	7 Saxton Lane Saxton Tadcaster North Yorkshire LS24 9QD	Front landing, raised decking and steps to side and rear with post and glass panel balustrading.	REFUSED  5 Aug 2022	Bethany Harrison

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2021/1103/DOC	Rebecca Hailey	Land At Former Airfield Lennerton Lane Sherburn In Elmet North Yorkshire	Discharge of Conditions 04 (highways), 09 (construction management plan), 10 (sewers and water mains), 11 (foul water drainage), 12 (surface water drainage) and 13 (archaeological scheme) of approval 2018/0697/OUTM S.73A application for outline planning approval with all matters except access reserved for the erection of 117,000 sq m (1,250,000 sq ft) of Class B2 and B8 commercial floorspace (with ancillary Class B1 offices) and site infrastructure works without complying with Conditions 7, 9, 11, 17, 19, 29 and 38 of outline planning approval 2016/0332 granted on 10 June 2016	CONDITION DECISION 29 Jul 2022	Jenny Tyreman
2021/1120/REM	Glentroot Land (Sherburn 2) Limited	Land At Former Airfield Lennerton Lane Sherburn In Elmet North Yorkshire	Reserved matters application stated within condition 01 of 2018/0697/OUTM S.73A application for outline planning approval with all matters except access reserved for the erection of 117,000 sq m (1,250,000 sq ft) of Class B2 and B8 commercial floorspace (with ancillary Class B1 offices) and site infrastructure works without complying with Conditions 7, 9, 11, 17, 19, 29 and 38 of outline planning approval 2016/0332 granted on 10 June 2016	PERMITTED 29 Jul 2022	Jenny Tyreman
2021/1122/HPA	Mr Pittaway & Miss Crosby	18 George Terrace Barlby Selby North Yorkshire YO8 5HA	Erection of 2 storey and single storey rear extension with single storey side extension	PERMITTED 19 Aug 2022	Josh Turner
2021/1135/HPA	Mr & Mrs Cairns	26 Golf Links Crescent Tadcaster North Yorkshire LS24 9HG	Loft conversion to existing bungalow	REFUSED 5 Aug 2022	Bethany Harrison

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2021/1205/FUL	Mr & Mrs E Finney	Cliffe Meadows Holiday Park Turnham Lane Cliffe Selby North Yorkshire YO8 6NQ	Erection of an amenity block	PERMITTED 12 Aug 2022	Mandy Cooper
2021/1362/FUL	Mr & Mrs Leighton	Riverside Farm Water Lane Kirk Smeaton Pontefract West Yorkshire WF8 3LD	Erection of two storey side and front extensions following demolition of an existing single storey extension and conservatory.	PERMITTED 4 Aug 2022	Diane Holgate
2021/1484/HPA	Mr & Mrs Morley-Jones	Field View Skipwith Road Escrick Selby North Yorkshire YO19 6LT	Rear single storey extension	PERMITTED 15 Aug 2022	Josh Turner
2021/1548/HPA	Mr Gary Seage	Aysgarth Main Street Great Heck Selby North Yorkshire DN14 0BQ	Erection of a detached domestic garage	PERMITTED 27 Jul 2022	Ellis Mortimer
2022/0018/TPO	Ms Andrea Haddon	2 Kirkham Mews Wistow Selby North Yorkshire YO8 3PN	Application for consent to fell 1No Horse Chestnut tree covered by TPO 14/1992	REFUSED 19 Aug 2022	Josh Turner

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0038/HPA	Mr Mathew Whickham	29 School Lane South Milford Selby North Yorkshire LS25 5NA	Raise the roof height to enable 2nd floor accommodation to include installation of dormer window and Juliet balcony, and conversion of existing garage space into ground floor utility room and wc	REFUSED 9 Aug 2022	Ellis Mortimer
2022/0049/FUL	Mr Andy Cutting	Balne Moor Lodge Balne Moor Road Balne Selby North Yorkshire DN14 0EL	Conversion of an HGV trailer service workshop and associated yard to a dwelling, adjacent garden to Balne Moor Lodge to be used as a garden for the dwelling	REFUSED 29 Jul 2022	Diane Holgate
2022/0161/DOC	Melvyn Mason	Turpin Hall Farm Back Lane Barkston Ash Selby North Yorkshire LS24 9PL	Discharge of conditions 02 (materials) and 04 (method statement) of approval 2020/0578/LBC Listed building consent for conversion of barn into 3 No dwellings, 1 No granny annex and realignment of boundary wall	CONDITION DECISION 9 Aug 2022	Gareth Stent
2022/0198/FUL	Moffat Hotel Limited	South Milford Hotel Great North Road South Milford Leeds LS25 5LF	Over-cladding of hotel, 3m high screen, additional car parking spaces and external lighting	PERMITTED 4 Aug 2022	Elizabeth Maw
2022/0308/HPA	Mr Holgreaves	Baxter Hall Redhouse Lane Drax Selby North Yorkshire YO8 8NH	Conservatory to rear of existing dwelling	PERMITTED 2 Aug 2022	Ellis Mortimer
2022/0330/FUL	Mr. Ian Campey	Dr Inks Ousegate Selby North Yorkshire YO8 4NJ	Conversion and extension of public house to create 4 No town houses with communal rear garden area	PERMITTED 9 Aug 2022	Emma Howson

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0340/HPA	Mr & Mrs Jackman	2 Hillam Road Gateforth Selby North Yorkshire YO8 9LQ	Replacement of existing conservatory and rear extension, with part single storey and part double storey rear extension and single storey side extension, with replacement porch canopy	PERMITTED 3 Aug 2022	Ellis Mortimer
2022/0352/FUL	Mr N Stoker	Priory Park Farm Fryston Common Lane Monk Fryston Selby North Yorkshire LS25 5ER	The stationing and relocation of five stables and a horse walker at Priory Park Farm	PERMITTED 5 Aug 2022	Elizabeth Maw
2022/0389/LBC	Mr Paul Casson	The Maltings Main Street Appleton Roebuck Selby North Yorkshire YO23 7DG	Listed building consent to renovate an existing derelict and flood damaged cellar by tanking walls and putting in a new concrete floor with drainage and sump pump to use it as a utility room and storeroom	PERMITTED 16 Aug 2022	Irma Sinkeviciene
2022/0431/HPA	Mr & Mrs Hicks	Springwood Burn Lane Burn Selby North Yorkshire YO8 8LF	Demolition of existing porch and conservatory, erection of single storey rear extension and raising of roof and erection of front porch	PERMITTED 12 Aug 2022	Ellis Mortimer
2022/0436/LBC	Mr Ian Campey	Dr Inks Ousegate Selby North Yorkshire YO8 4NJ	Application for Listed Building Consent for the conversion and extension of public house to create 4 No town houses with communal rear garden area	PERMITTED 9 Aug 2022	Emma Howson
2022/0448/HPA	Mr & Mrs Denning	22 Mill Lane Camblesforth Selby North Yorkshire YO8 8HW	Demolition of existing conservatory and erection of a single storey side extensions and porch extension	PERMITTED 3 Aug 2022	Ellis Mortimer

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0449/DOC	Johnson Massey Developments	Roebuck Barracks Green Lane Appleton Roebuck Selby North Yorkshire	Discharge of condition 11 (sewage disposal and surface water drainage works) of approval 2020/0258/ATD Prior notification for the change of use of agricultural building to 1 dwelling (Use Class C3) and associated operational development granted on 20 August 2021	CONDITION DECISION  27 Jul 2022	Fiona Ellwood
2022/0450/DOC	Johnson Massey Developments	Roebuck Barracks Green Lane Appleton Roebuck Selby North Yorkshire	Discharge of condition 11 (foul and surface water disposal) of approval 2020/0259/ATD Prior notification for the change of use of agricultural building to 1 dwelling (Use Class C3) and associated operational development	CONDITION DECISION  27 Jul 2022	Fiona Ellwood
2022/0451/DOC	Johnson Massey Developments	Roebuck Barracks Green Lane Appleton Roebuck Selby North Yorkshire	Discharge of condition 11 (foul and surface water drainage) of approval 2020/0278/ATD Prior notification for the change of use of agricultural building to 1 dwellings (Use Class C3) and associated operational development	CONDITION DECISION  27 Jul 2022	Fiona Ellwood
2022/0452/DOC	Johnson Massey Developments	Roebuck Barracks Green Lane Appleton Roebuck Selby North Yorkshire	Discharge of condition 11 (foul and surface water) of approval 2020/0279/ATD Prior notification for the change of use of agricultural building to 1 dwellings (Use Class C3) and associated operational development	CONDITION DECISION  27 Jul 2022	Fiona Ellwood
2022/0453/DOC	Johnson Massey Developments	Roebuck Barracks Green Lane Appleton Roebuck Selby North Yorkshire	Discharge of condition 11 (foul and surface water) of approval 2020/0287/ATD Prior notification for the change of use of agricultural building to 1 dwellings (Use Class C3) and associated operational development	CONDITION DECISION  27 Jul 2022	Fiona Ellwood
2022/0472/S73	Mr Jack Small	Little Henny York Road Barlby Selby North Yorkshire YO8 5JZ	Section 73 application to vary Condition 02 (approved plans) and remove Condition 15 (rear windows) of approval 2021/0672/FUL Erection of 1 dwelling following demolition of existing stable and erection of a detached garage	REFUSED  16 Aug 2022	Elizabeth Maw



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0473/DOC	Mr Jack Small	Little Hinny York Road Barlby Selby North Yorkshire YO8 5JZ	Discharge of Condition 03 (materials) of approval 2021/0672/FUL Erection of 1 dwelling following demolition of existing stable and erection of a detached garage	CONDITION DECISION  16 Aug 2022	Elizabeth Maw
2022/0478/HPA	Mr & Mrs M Wood	Balne Hall Farm Balne Hall Road Balne Selby North Yorkshire DN14 0EA	Single storey rear extension following demolition of existing single and two storey rear and side extensions and existing detached single storey outbuilding	REFUSED  2 Aug 2022	Ellis Mortimer
2022/0512/HPA	Mr Simon Stevenson	The Barn Manor Farm Court Colton Tadcaster North Yorkshire LS24 8BF	Conversion of carport/garage to habitable space	PERMITTED  9 Aug 2022	Jordan Fairclough
2022/0519/COU	Mr Jeffrey Anspach	Westacre Station Road Wistow Selby North Yorkshire YO8 3UZ	Change of use from residential property to commercial holiday let (retrospective)	REFUSED  2 Aug 2022	Linda Drake
2022/0520/HPA	Andrew Lydon	Lawnswood Main Street Hillam Selby North Yorkshire LS25 5HH	Erection of single storey rear extension with a veranda and changes to windows.	PERMITTED  2 Aug 2022	Ellis Mortimer

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0553/FUL	Mr Michael Wynne	4 Cricketers Way Sherburn In Elmet North Yorkshire LS25 6ER	Demolition of single storey extensions and garage to existing dwelling and erection of 1 no. detached dwelling	REFUSED 5 Aug 2022	Irma Sinkeviciene
2022/0578/HPA	Mrs Suzanne Cooley	27 Heather Close Selby North Yorkshire YO8 9XP	Replacement of existing polycarbonate roof with a solid roof, bricking up of both gable ends and replacement of windows and doors	PERMITTED 15 Aug 2022	Josh Turner
2022/0592/FUL	Jack Small	Little Henny York Road Barlby Selby North Yorkshire YO8 5JZ	Erection of boundary wall and gates (retrospective)	PERMITTED 16 Aug 2022	Elizabeth Maw
2022/0602/HPA	Mr Andrew Harris	15 Abbots Court Selby North Yorkshire YO8 8BF	Split existing double garage into two, one side to remain as a garage and the second side to be converted to domestic accommodation	PERMITTED 29 Jul 2022	Josh Turner
2022/0628/DOC	Mr Andy Plant	Eggborough Power Station Selby Road Eggborough Selby North Yorkshire DN14 0BS	Discharge of Condition 3 (materials) of approval 2019/1344/FULM Proposed change of use of land, formation of sports pitches and the erection of pavilions (use class D2) with car parking, landscaping and access on sites A and B off Wand Lane and Hazel Old Lane	CONDITION DECISION 5 Aug 2022	Gareth Stent
2022/0630/HPA	Mr Anthony Burns	4 Acme Terrace Church Fenton Selby North Yorkshire LS24 9RG	Single storey front extension	REFUSED 18 Aug 2022	Jordan Fairclough

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0637/DOC	Leodis Homes Ltd	191 Leeds Road Selby North Yorkshire YO8 4JH	Discharge of condition 02 (landscaping) of approval 2020/1232/S73 Section 73 application to vary condition 02 (approved plans) of planning permission 2018/0804/FUL Proposed erection of 1no dwelling with detached garage	CONDITION DECISION  1 Aug 2022	Jac Cruickshank
2022/0645/MAN2	St Francis Group	Eggborough Power Station Selby Road Eggborough Selby North Yorkshire DN14 0BS	Non material minor amendment of planning application 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	PERMITTED  29 Jul 2022	Gareth Stent
2022/0648/S73	Cornel Building Services	3 Caudle Hill Fairburn Knottingley North Yorkshire WF11 9JQ	Section 73 application to vary condition 02 (approved plans) of approval 2020/1377/S73, Section 73 application to vary condition 02 (drawings) of planning permission 2019/0950/HPA Proposed refurbishment and single storey rear extension to existing rendered cottage, approved on 01 November 2019	PERMITTED  18 Aug 2022	Ellis Mortimer
2022/0651/HPA	Mr Paul Singleton	Wentworth House School Road Hemingbrough Selby North Yorkshire YO8 6QS	Erection of single storey triple domestic garage extension	PERMITTED  17 Aug 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>
2022/0663/HPA	Mr Robert Brown	2 Queens Gardens Tadcaster North Yorkshire LS24 9HD	Detached double garage with utility room and home gym, storage at first floor	PERMITTED 16 Aug 2022	Irma Sinkeviciene
2022/0677/DOC	Mr Dan Taylor	Eastwood Common Road Barkston Ash Tadcaster North Yorkshire LS24 9PQ	Discharge of condition 06 (construction management plan) of approval 2021/1545/UDD Prior approval for increased room ridge height to form additional bedrooms extending up to 7.9 metres (measured externally from ground level to the highest part of the roof)	CONDITION DECISION 10 Aug 2022	Irma Sinkeviciene
2022/0679/HPA	Mr Stuart Cross	43 Station Rise Riccall Selby North Yorkshire YO19 6JR	Erection of single storey rear/side extension to create additional living accommodation	PERMITTED 10 Aug 2022	Jordan Fairclough
2022/0681/FUL	Mr R Stoker & Hall	Hall Farm Butts Lane Lumby Leeds West Yorkshire LS25 5JA	Part demolition of the existing detached Hall Farm dwelling to be replaced by a new detached dwelling and associated garage and annex	PERMITTED 27 Jul 2022	Emma Howson
2022/0682/HPA	Miss Goodblar & Mr Greppellini	Riverside Main Street Kelfield Selby North Yorkshire YO19 6RG	Relocation of front entrance door, new porch canopy, glazing changes to front elevation, change of materials to exterior of building, and rear single storey extension following the demolition of the existing conservatory.	PERMITTED 19 Aug 2022	Jordan Fairclough
2022/0704/DOC	Nicholas & Nicholas Limited	Moreby Hall Moreby Stillingfleet Selby North Yorkshire YO19 6HN	Discharge of conditions 03 (Construction Management Plan) and 12 (vehicular and cycle parking arrangements) of approval 2020/0413/FULM Conversion of single dwelling house to form 11 apartments including limited internal alterations	CONDITION DECISION 18 Aug 2022	Kelly Sweeney

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0706/HPA	Libby Jones	2 Brooklands South Milford Selby North Yorkshire LS25 5DF	Loft conversion with front and rear dormers	PERMITTED 9 Aug 2022	Jordan Fairclough
2022/0709/S73	Mr Jordan Blackburn	Beam House 2 The Quarry Lumby Lane Monk Fryston Selby North Yorkshire LS25 5DS	Section 73 application to vary Condition 02 (plans) of approval 2021/0808/FUL Demolition of existing dwelling and new build 5 bed dwelling with renovation works to garage	PERMITTED 11 Aug 2022	Elizabeth Maw
2022/0713/HPA	Mr Alan Cooper	23 Moss Green Lane Brayton Selby North Yorkshire YO8 9EN	Demolition of existing conservatory and erection of a single storey pitched roof extension to rear and works to bay window on front elevation, extension to rear of existing detached garage to form a garden store	PERMITTED 16 Aug 2022	Jordan Fairclough
2022/0715/HPA	Mrs Jo Swan	46 Northfield Barlby Selby North Yorkshire YO8 5JS	Erection of single storey side extension to create additional living accommodation	PERMITTED 10 Aug 2022	Jordan Fairclough
2022/0723/MAN2	Mr Nick Wright	Meadow Field Farm Mill Lane Camblesforth Selby North Yorkshire	Non material amendment of 2005/0677/FUL Proposed erection of 4 detached dwellings and garages and alterations and extensions to existing bungalow to form two storey house and detached garage as amended by 2016/0500/MAN	PERMITTED 27 Jul 2022	Emma Howson

Application Number	Applicant	Location	Proposal	Decision and Date	Case Officer
2022/0727/TPO	Mrs Sarah Burton	High Gables Chapel Street Hillam Leeds West Yorkshire LS25 5HP	Application for consent to Lateral reduction to give a maximum of 2 metres from the adjacent dwelling. All pruning to be completed by a trained arborist, with suitable public liability insurance, and in line with BS3998:2010 with no pruning wounds in excess of 25mm diameter of 1No Beech tree by 2m covered by TPO 6/1977 in the conservation area	PERMITTED 28 Jul 2022	Emma Howson
2022/0736/HPA	Mr & Mrs A Kirk	96 Leeds Road Selby North Yorkshire YO8 4JQ	Erection of single storey rear extension to replace existing conservatory	PERMITTED 15 Aug 2022	Jordan Fairclough
2022/0737/HPA	Mr Jack Coverdale	16 Nova Scotia Way Riccall Selby North Yorkshire YO19 6RP	Single storey side and rear extensions and internal alterations	PERMITTED 18 Aug 2022	Jordan Fairclough
2022/0760/DOC	Mr & Mrs S Lamb	Caravan Park Scalm Park Wistow Selby North Yorkshire YO8 3RD	Discharge of Conditions 04 (materials), 08 (contamination), 09 (contamination) and 10 (contamination) of approval 2021/1124/ATD Prior notification for the change of use of agricultural buildings to 1No dwelling (Use Class C3) and associated operational development	CONDITION DECISION 9 Aug 2022	Linda Drake
2022/0768/S73	Mr & Mrs Hitchcock	Northbank House Ouston Lane Tadcaster North Yorkshire LS24 8DP	Section 73 application to vary approval 2021/1220/HPA Single storey rear extension and revised fenestration to the house and dormer extension to the annexe	PERMITTED 16 Aug 2022	Jordan Fairclough
2022/0774/ADV	Wildstone Group Limited	57 York Road Tadcaster North Yorkshire LS24 8AR	Advertisement consent for replacement digital D-Poster advertisement	REFUSED 16 Aug 2022	Jordan Fairclough

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0775/TPO	Mrs Maureen Fairbairn	16 Edgerton Drive Tadcaster North Yorkshire LS24 9QW	Application for consent to crown lift by 2.6m on the lowest branches of 1no Walnut tree covered by TPO 9/2022	PERMITTED 9 Aug 2022	Jordan Fairclough
2022/0810/DOC	Nikle Construction	61 Kirkgate Sherburn In Elmet Leeds North Yorkshire LS25 6BH	Discharge of condition 05 (drainage) of planning permission 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 17 Aug 2022	Gareth Stent
2022/0813/SCN	MaxDesign	Springfield Farm Weeland Road Hensall Selby Goole North Yorkshire DN14 0RL	EIA screening opinion for siting of battery energy storage facility	EIA NOT REQUIRED 27 Jul 2022	Emma Howson
2022/0845/DOC	Countryside Partnerships (UK) Ltd	N S D S Centre Field Lane Thorpe Willoughby Selby North Yorkshire	Discharge of conditions 03 (materials), 04 (means of enclosure), 05 (noise) and 06 (noise) of approval 2013/1041/OUT Outline application with all matters reserved for a residential development following the demolition of the existing buildings within the site	CONDITION DECISION 17 Aug 2022	Gareth Stent
2022/0882/MAN2	Neil Johnson	1 Volta Street Selby YO8 8DE	Non material amendment of 2021/0427/HPA To build a new brick garage replacing the existing prefabricated concrete garage at the end of the back garden	REFUSED 19 Aug 2022	Jordan Fairclough

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision and Date</b>	<b>Case Officer</b>
2022/0895/MAN2	Mr Mark Titley	Land Adjacent The Old Vicarage Main Street Kellington Goole East Yorkshire	Non material amendment of 2020/0807/FUL Erection of 2 detached houses with detached garages served by existing vehicular access	PERMITTED  19 Aug 2022	Emma Howson
2022/0931/TNO2	Mrs Jenny Goodenough	Brockadale Farm Jacksons Lane Wentbridge Pontefract West Yorkshire WF8 3HZ	Five day notice to fell 4 No Ash trees covered by Tree Preservation Order 1948	REFUSED  5 Aug 2022	Gareth Stent
2022/0934/TELB	BT Openreach	3 Hawthorn Drive Barlby Selby North Yorkshire YO8 5LQ	Install fixed line broadband electronic communications apparatus Outside	TELECOMMU NICATIONS - NOT REQUIRED  5 Aug 2022	Bethany Harrison
2022/0937/MAN2	M Richard Warriner	123 Stutton Road Tadcaster LS24 9HJ	Non material amendment of 2022/0419/HPA Single storey rear and side extension to provide additional living accommodation	PERMITTED  5 Aug 2022	Bethany Harrison



# Glossary of Planning Terms

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

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

## **Curtilage:**

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Section 106 Agreement**

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

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

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

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

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

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

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

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

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

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

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

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

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

	Mark Topping, Chair  Conservative	Derwent Ward	<a href="mailto:mtopping@selby.gov.uk">mtopping@selby.gov.uk</a>	01757 638137
	Charles Richardson, Vice Chair  Conservative	Camblesforth and Carlton Ward	<a href="mailto:crichardson@selby.gov.uk">crichardson@selby.gov.uk</a>	-
	Keith Ellis  Conservative	Appleton Roebuck and Church Fenton	<a href="mailto:kellis@selby.gov.uk">kellis@selby.gov.uk</a>	01937 557111
	Georgina Ashton  Conservative	Byram and Brotherton	<a href="mailto:gashton@selby.gov.uk">gashton@selby.gov.uk</a>	01937 557701
	Ian Chilvers  Conservative	Brayton	<a href="mailto:ichilvers@selby.gov.uk">ichilvers@selby.gov.uk</a>	01757 705308
	Robert Packham  Labour	Sherburn in Elmet	<a href="mailto:rpackham@selby.gov.uk">rpackham@selby.gov.uk</a>	01977 681954
	Paul Welch  Labour	Selby East	<a href="mailto:pwelch@selby.gov.uk">pwelch@selby.gov.uk</a>	01757 708531
	John Duggan  Labour	Riccall	<a href="mailto:jduggan@selby.gov.uk">jduggan@selby.gov.uk</a>	-
	Don Mackay  Independent	Tadcaster	<a href="mailto:dbain-mackay@selby.gov.uk">dbain- mackay@selby.gov.uk</a>	01937 835776

# 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
	Stephanie Duckett Labour	Barlby Village	<a href="mailto:sduckett@selby.gov.uk">sduckett@selby.gov.uk</a>	01757 706809
	John McCartney Selby Independents	Whitley	<a href="mailto:jmccartney@selby.gov.uk">jmccartney@selby.gov.uk</a>	01977 662558