

**Officer Update Note  
23 September 2020**

**Item 5.3.**

APPLICATION NUMBER:	2020/0442/S73	PARISH:	Cawood Parish Council
APPLICANT:	Mrs Amy Weeks	VALID DATE: EXPIRY DATE:	3rd June 2020 29th July 2020
PROPOSAL:	Section 73 to vary conditions 02 (opening hours), 03 (extraction) & 04 (plans) of approval 2015/1230/RTR Prior approval for the change of use from use class A1 (Retail) to both A1 (Retail) and A3 (Cafe) uses		
LOCATION:	Post Office Store 2 High Street Cawood Selby North Yorkshire YO8 3TH		
RECOMMENDATION:	APPROVE		

Since the Officers Report was written a number of comments have been received. In summary these raise concerns for the following:

- Use of the access to the rear of the Post Office
- Noise
- Odour
- Impacts on mental health of the neighbouring properties

In considering all of the above, this information this is not considered to alter the assessment made.

#### Item 5.4

APPLICATION NUMBER:	2020/0828/S73	PARISH:	South Milford Parish Council
APPLICANT:	Mr Ian Lindsay	VALID DATE: EXPIRY DATE:	5th August 2020 30th September 2020
PROPOSAL:	Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five bedroom, three storey detached house		
LOCATION:	Quarry Drop Westfield Lane South Milford Leeds West Yorkshire LS25 5AP		
RECOMMENDATION:	GRANT		

Since the Officers Report was written, fifteen letters of support have been received in respect of the application (eight from residents of South Milford, one from a resident of Sherburn in Elmet and six from people of unknown addresses). The letters of support set out that the proposed amendments to the application have no adverse impact on the residential amenities of the neighbouring properties beyond the original permission; the resultant dwelling would have an acceptable design and appearance, in keeping with the local area, which would result in no adverse impact on the character and appearance of the area beyond the original permission; the rationale for the amendments (flood risk) is sound; and the family are working hard to build the dwelling under difficult circumstances.

Since the Officers Report was written, the applicant has submitted written representations in response to the objector's comments. This covers a number of points as follows:

- Delays in the build time have been due to a number of factors which have been outside their control including: land ownership issues at the High Street access; issues surrounding the site hoarding along the Westfield Lane boundary; and having to re-apply for planning permission and a Certificate of Lawfulness following SDC advising the original permission had not lawfully been implemented. The applicant has advised that they would be willing to accept a condition to limit the time to complete the development. [Officer Note: such a condition would not meet the required 6 tests, as it would not be reasonable or enforceable. This has been confirmed by an Inspector under the appeal relating to planning permission reference 2018/0800/FUL.]
- Even though the site is located within Flood Zone 1, it has flooded before. Therefore, the applicant would like to take precautions against this and move the bedroom from the ground floor.
- The number of reported breaches of planning control are not as high as stated by the objectors, and many of these relate to working hours. The applicant has worked with the Council on the working hours condition to ensure it is workable.
- Vehicles parked on High Street is not material to this application. The application has given objectors an opportunity to raise this as a general issue.