

Officer Update Note

19th May 2021

Item 5.1

APPLICATION NUMBER:	2020/0137/FUL	PARISH:	Barlow Parish Council
APPLICANT:	Dodsworth Joinery & Building Ltd	VALID DATE: EXPIRY DATE:	11th February 2020 OUT OF TIME
PROPOSAL:	Proposed erection of a storage building on land adjacent		
LOCATION:	Land Adjacent To 2 Prospect Villas Barlow Common Road Barlow Selby North Yorkshire		
RECOMMENDATION:	APPROVE		

- Since publication of the Officer's report, an extension of time until 20th May 2021 has been agreed with the applicant via email.
- Since the report was written, the policy context noted at Paragraph 4.3 of the report has been updated to reflect that the Local Plan has moved into the next stage of consultation:

*“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.”*

Item 5.2

APPLICATION NUMBER:	2020/0631/FUL	PARISH:	Monk Fryston Parish Council
APPLICANT:	Mrs Thorpe	VALID DATE: EXPIRY DATE:	19th June 2020 18th September 2020
PROPOSAL:	Erection of a livestock building with associated infrastructure (building 1 of 2)		
LOCATION:	Land Off Lowfield Road Hillam Leeds West Yorkshire		

RECOMMENDATION:	GRANT
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- The date of today's meeting is 19 May 2021, not 12 May 2021 as stated in the report.
- The first sentence of the first paragraph of the report should be amended to read (amendment underlined):

This application has been brought before Planning Committee as the application is a minor application where 10 or more letters of representation have been received which raise material planning considerations and where Officers would otherwise determine the application contrary to these representations.

- For clarification, the application number is 2020/0631/FUL. Any reference in the report to application number 2020/0631/FULM, should be amended to 2020/0631/FUL. Likewise, any reference to application number 2020/0650/FULM, should be amended to 2020/0650/FUL.

Item 5.3

APPLICATION NUMBER:	2020/0650/FUL	PARISH:	Monk Fryston Parish Council
APPLICANT:	Mrs Thorpe	VALID DATE:	23rd June 2020
		EXPIRY DATE:	22nd September 2020
PROPOSAL:	Erection of a livestock building with associated infrastructure (building 2 of 2)		
LOCATION:	Land Off Lowfield Road Hillam Leeds West Yorkshire		
RECOMMENDATION:	GRANT		

- The date of today's meeting is 19 May 2021, not 12 May 2021 as stated in the report.
- The first sentence of the first paragraph of the report should be amended to read (amendment underlined):

This application has been brought before Planning Committee as the application is a minor application where 10 or more letters of representation have been received which raise material planning considerations and where Officers would otherwise determine the application contrary to these representations.

- For clarification, the application number is 2020/0650/FUL. Any reference in the report to application number 2020/0650/FULM, should be amended to 2020/0650/FUL. Likewise, any reference to application number 2020/0631/FULM, should be amended to 2020/0631/FUL.
- Members should be advised that when the letters were sent out advising representees that the application was due to be heard at planning committee, twenty-three bounce back emails were received to advise that those email addresses were invalid. Furthermore, sixteen emails were received from people advising that they

had never commented on the application. These individuals were forwarded a copy of their original email commenting on the application and were asked to confirm whether they wished for their comments to be removed (each of these were one of the five hundred and thirty-two letters of objection which had been submitted in the same format from residents of unknown addresses). To date, ten of those seventeen people have confirmed they wish for their comments to be removed and responses are awaited from the remaining six people. Given the above, the validity of the remaining five hundred and thirty-two letters of objection which had been submitted in the same format from residents of unknown addresses are being brought into question and should be given limited weight in the determination of this application, firstly because they are from people of unknown addresses and secondly because it is questioned whether those commenting on the application are aware that they have commented on the application.

Item 5.4

APPLICATION NUMBER:	2020/1300/FUL	PARISH:	Riccall Parish Council
APPLICANT:	Mr J Knowles	VALID DATE: EXPIRY DATE:	1st December 2020 26th January 2021
PROPOSAL:	Demolition of existing dwelling, construction of seven residential properties		
LOCATION:	Tamwood Station Road Riccall York North Yorkshire YO19 6QJ		
RECOMMENDATION:	Approve subject to s106 agreement		

Publicity

Following the publication of the Officer Report, two further responses have been received from the Ward Member and Riccall Parish Council requesting the determination of the application be deferred until the impending Riccall Conservation Area appraisal has been concluded.

A further response was received reiterating the base maps for the plans do not reflect current recent extensions and impacts upon daylight and sunlight are worse than considered within the report.

Planning Considerations

Residential Amenity

Following the publication of the Officer Report, the applicants have provided a Construction management plan and in turn this has been reviewed by Environmental Health Officers who consider the plan is satisfactory.

Officers agree with the Environmental Health Officer and Condition 6 of the recommendation is no longer recommended for inclusion.

Contamination

Following the publication of the Officer Report, the applicants have provided a Phase 2 Ground Investigation Report.

The Report has been considered by the Contaminated Land Consultant who considers the investigation report acceptable and agrees with the conclusion that no further investigation. The Consultant recommends a condition in respect of unexpected contamination.

Officers agree with the Contaminated Land Consultant's recommendation and Conditions 9, 10 and 11 within the Officer Report are no longer recommended for inclusion. Condition 12 relates to unexpected contamination and reflects the Contaminated Land Consultant's recommended condition.

Ecology

Following the publication of the Officer Report, the applicants have undertaken one night's bat emergence survey and produced a Bat Survey Report accordingly. The survey demonstrates that further emergence surveys are required.

The findings and report have been considered by North Yorkshire County Ecology who agree that further surveys are required prior to determination of the application.

Officers consider that in accordance with the survey and comments of the County Ecologist that the recommendation of the application be amended to:

Approve subject to Section 106 agreement legal agreement, completion of satisfactory bat surveys and agreement of subsequent mitigation.

The County Ecologist recommends the measures in Section 8.5 of the report, in respect of biodiversity net gains, should be adhered to. Officers agree that a condition requiring such is appropriate.

Drainage

Following the publication of the Officer Report, the applicants have provided a drainage layout and micro drainage calculations. The Internal Drainage Board and Yorkshire Water have been reconsulted.

The Internal Drainage Board continue to seek clarification as to the point of connection, type of mains connection for disposal, discharge rate attenuation and flood water storage. No response has been received from Yorkshire Water.

Officers consider Condition 3 remains necessary and is included for determination.

Conclusion

Paragraph 6.9 incorrectly suggests the application has been submitted in outline. The application is a full application, and all material considerations should be taken account in the determination of this application.

This erroneous reference does not materially change the conclusion i.e.the principle of development is acceptable and the proposal is satisfactory from all development management considerations subject to conditions where appropriate.