

**Officer Update Note**  
**Planning Committee – 18<sup>th</sup> August 2021**

**Item 5.1**

APPLICATION NUMBER:	2020/1013/FULM	PARISH:	Saxton Cum Scarthingwell Parish Council
APPLICANT:	Scarthingwell Golf Club	VALID DATE: EXPIRY DATE:	24th September 2020 24th December 2020
PROPOSAL:	Erection of 99 holiday lodges with reception building, reconfiguration of the golf course and use of building as a golf academy and greenkeeper's store		
LOCATION:	Scarthingwell Golf Club, Scarthingwell Park, Barkston Ash, Tadcaster North Yorkshire, LS24 9PF		

Members are advised that there have been no further letters of support or objection over those summarised in section 2 of the Officers Report at pages 52 to 56.

**Item 5.3**

APPLICATION NUMBER:	2020/0225/FULM	PARISH:	Church Fenton Parish Council
APPLICANT:	Busk Lane Outdoor	VALID DATE: EXPIRY DATE:	1st April 2020 1st July 2020
PROPOSAL:	Proposed change of use from grazing agricultural land to BMX cycle track with toilet block, picnic area and car park		
LOCATION:	Land South of Gloster Close Busk Lane Church Fenton Tadcaster North Yorkshire		

- Members are advised that additional responses were received since the last committee meeting in June including representations from Fenton Landscape. However, these are summarised in section 2 of the Officers Report.
- The section on Flood Risk has been updated since the June Committee. And takes account of the additional representations.

- Condition 16 – typing error has been pointed out and the wording should be amended as follows;

The use of the site shall be limited *only to* the BMX facility hereby granted and as limited by these conditions and shall not be used for any other use with Class F of 'The Town and Country Planning (Use Classes) Order 1987 (as amended) or any other order revoking or re-enacting this Order.

- Following re-consultation- further comments have been received from the IDB. These repeat their earlier comments and make the additional comment that because the proposal is to establish a gravity connection with the existing watercourse to the west, the consent of the IDB is required by law and this should be covered by planning conditions. Permissible flow rates need to be discussed and agreed.

*Officer response*

The planning condition 6 requires a full drainage strategy to be agreed prior to commencements

Other matters and additional conditions;

- It is considered that a condition requiring details of the site management would be appropriate to ensure the facilities, toilets, litter, waste, management of the track are adequately managed. It is requested that the precise wording of this condition is delegated to officers to add to the existing conditions should this application be approved today.
- At the time of writing this update, the possibility of a personal condition is under discussion as an option and an update will be given at the meeting

**Item 5.4**

APPLICATION NUMBER:	2021/0668/FUL	PARISH:	Hensall
APPLICANT:	Mr & Mrs C Welsh	VALID DATE: EXPIRY DATE:	27.05.2021 EOT agreed to 23.08.2021
PROPOSAL:	Erection of a detached bungalow following demolition of former showroom previously approved for the change of use to a dwelling under application 2018/1220/FUL		
LOCATION:	Hazel Grove Farm Weeland Road Hensall Selby North Yorkshire DN14 0RL		
RECOMMENDATION:	Planning permission be <b>GRANTED</b> subject to conditions.		

**Additional Information**

The most pertinent policies to the consideration of the application are set out in the report, for the avoidance of doubt additional policies that have been pointed out as relevant to the consideration are:

#### H9 Residential development outside development limits

Outside development limits residential development will not be permitted except where it falls within the criteria set including the following: for agricultural purposes, rural affordable housing, conversions, replacement dwellings, extensions to dwelling, sensitive infill in non Green Belt areas, re-development of intensive livestock units adjoining development limits.

#### H12 Conversion of rural buildings

Proposals for the conversion of rural buildings to dwellings in the countryside, outside development limits, permitted where meeting the listed criteria including the following: no demand for business, means of conserving a historic building, the building is structurally sound and capable of re-use without substantial building, does not require extensive alteration/extension/rebuilding, not close to livestock or industrial uses, highway safety, local amenity, subordinate to the business uses when part of a business scheme.

#### H13 Replacement dwellings

Replacement dwellings in the countryside will be permitted on a one to one basis provided they meet with the following: the original dwelling is not abandoned, is not of architectural merit, the replacement is located on the site of the existing dwelling, the size and scale is similar to the original dwelling and the design and materials are appropriate to the character of the area.

For the avoidance of doubt, the principle of residential development on the site has been established.

#### Clarification of the Fall Back Position

As referenced in paragraph 6.1 of the officer report, the fall-back position is recognised as a material planning consideration by the courts, where an alternative scheme comes forward. The weight applied to the fall-back position in considering the planning balance is for the decision maker.

#### **Item 5.5**

APPLICATION NUMBER:	TPO 4/2021	PARISH:	Bilbrough Parish Council
TPO SERVED:	1 <sup>ST</sup> April 2021	DEADLINE FOR CONFIRMATION:	1 <sup>ST</sup> October 2021

LOCATION:	Old Manor House Main Street Billbrough York YO23 3PH
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One further representation has been received at 23:15 on the 17<sup>th</sup> August from a neighbouring occupant who asks why the representations made and reports sent to the local authority by Barnes associates are not on Public Access, stating that this calls into question the fairness of the TPO procedure.

Members should be advised that whilst TPO documentation is not usually subject to publication on public access, all documents and representations submitted to the local authority have been summarised in the officer report and have been provided to the landowner upon his request.

Images submitted by the applicant and Barnes Associates showing the condition of the tree have also been included in the officer presentation for fairness.