



Report Reference Number 2017/1264/FUL (8/77/27AC/PA)

Agenda Item No: 6.4

To: Planning Committee
Date: 9 May 2018
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2017/1264/FUL	PARISH:	Bolton Percy, Colton and Stetton Parish Council
APPLICANT:	Mr McCarthy	VALID DATE: EXPIRY DATE:	20 November 2017 15 January 2018
PROPOSAL:	Retrospective application for a 3 year temporary permission to site a log cabin		
LOCATION:	Ye Olde Sun Inne Main Street Colton Tadcaster North Yorkshire LS24 8EP		
RECOMMENDATION:	REFUSAL		

This application has been brought before Planning Committee due to a call in by Councillor Musgrave.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The application site lies within the curtilage of a Grade II listed building called 'Ye Olde Sun Inne', located on Main Street, Colton and within the village of Colton which is situated some 5 miles east of Tadcaster.
- 1.2 The public house sits on the north side of Main Street, set back from the roadside and on elevated land. There is a car park on the east flank of the building and houses on the north and west perimeter on Old Lane Court.
- 1.3 The service yard to the Public House is currently occupied by a timber log cabin, subject to this retrospective application. Land adjacent to the Public House on the

west side is currently filled in with decking and seating and tables and an enclosed raised flower bed.

The Proposal

- 1.4 The application is submitted retrospectively for the siting of a timber log cabin for a 3 year period. The timber cabin measures circa 8.8m x 5.8m x 2m at its lowest height and 2.5m at its highest. The cabin has a 1.2m overhang and a wood fired pizza oven attached to it. The cabin was sited on the land in May 2017.
- 1.5 The cabin is used as a seating and servery area for consumption of pizzas cooked in the attached pizza oven. No foundations have been dug and the cabin can be removed without any remedial works. However, the cabin has been in situ for some time and there has been a significant degree of permanence.
- 1.6 The design and access statement notes there would be new hedge planting to the south of the decking area, but this is not included in the description of development. The decking area and raised planting beds have been constructed on site without the necessary planning permissions.

Relevant Planning History

- 1.7 The following historical applications are considered to be relevant to the determination of this application.
 - 1.7.1 2017/0737/FUL – Withdrawn 22.09.2017 - Retrospective application for a 3 year temporary permission to site a log cabin on service yard
 - 1.7.2 2011/0519/LBC – Permitted 12.07.2011 - facilitate new porch and amend details to extension granted under 2009/1122/LBC.
 - 1.7.3 2011/0518/FUL – Permitted 12.07.2011 - New porch to side and amendment to front elevation of extension approved under 2009/1121/FUL.
 - 1.7.4 2010/1125/DPC – Condition discharge 17.11.2010 - Discharge of conditions 2 (archaeology scheme of investigation), 3 (materials), 4 (painting finish) and 5 (materials) in relation to approval 8/77/27P/PA (2009/1121/FUL) for works.
 - 1.7.5 2009/1122/LBC – Permitted 19.04.2010 - Listed Building Consent for extensions to the side and internal alterations including removal of internal walls and the creation of a new doorway.
 - 1.7.6 2009/1121/FUL – Permitted 19.04.2010 - Change of use of existing dairy shop to enlarge the kitchen and provide staff toilet facilities to public house together with extension to provide food preparation area and conversion of part of public house together with an extension to create new dairy shop and additional seating area for public house.

2.0 CONSULTATION AND PUBLICITY

The application has been advertised as a departure from the development plan and affecting the setting of a Listed Building and the former expires on 26th April 2018. Any additional comments received will be reported to the Committee by Officers.

A site notice was placed at the site and nearest neighbours notified, with three objections received citing the following concerns:

- The cabin, pizza oven and decking was constructed without planning permission next to a listed building
- Coaches park on disabled car park protruding beyond the footpath
- Waste is being burnt in old metal waste bin near to the timber cabin posing a fire risk hazard
- Marked increase in noise and disturbance during the summer months
- Sewage from this use will overwhelm the current drainage system
- Houses would be devalued in the village
- Pub trying to cater for wedding events
- The plastic bright green astro turf is not in keeping with the listed building,
- The pizza hut omits smoke which could be a fire hazard
- Part of the service yard was used to burn unwanted rubbish, this has now been moved to the car park area near trees
- Titled as 3 year temporary but what would happen after that term
- Having spent circa £25k did the owners not know they needed planning permission
- The outside bar area will add extra water to the drains.

A call in letter from Councillor Musgrave notes that he supports the application. It states:

- a) That the pub supports a number of jobs and the applicant wishes to diversify the pub to make it more sustainable
- b) Impact on openness of the Green Belt is minimal and is outweighed by the benefits of the development.
- c) The impact on the setting of the listed building would be minimal and is outweighed by the benefits of the development.

Parish Council

No objection, but refer to the surface water not discharging into the main sewer.

NYCC Highways

No objection.

Yorkshire Water

No comment received.

Ainsty (2008) Internal Drainage Board

No objection.

Environmental Health

No objection.

Conservation Officer

Objection.

The design of the structure is inappropriate in terms of scale, design, detailing and materials and does not have regard to the local character, identity and context of its surroundings in terms of its scale. The development is therefore contrary to Local Plan policy ENV22 and Core Strategy policy SP19 as it will have an adverse effect on the architectural and historic character of the listed building and its setting.

The overall proposal has not been designed to conserve these historic assets which contribute to the distinct character of the District and is therefore contrary to Core Strategy policy SP18.

The development does not sustain the significance of the designated heritage asset (Ye Old Sun Inn), it causes less than substantial harm to its significance by developing in its setting and is not clearly or convincingly justified. The development does not conform to policies within the NPPF and can therefore not be supported.

Listed Building Consent is also required for other development which has been carried out to this listed building, at present the works within the yard are unauthorised. Works to a listed building without permission is a criminal offence.

3.0 SITE CONSTRAINTS AND POLICY CONTEXT

Constraints

- 3.1 The application site lies within the defined development limits of Colton and within the Green Belt. Immediately adjacent to the site is a Grade II listed building called 'Ye Olde Sun Inne'. The English Heritage listing states the following:

*SE 54 SW COLTON MAIN STREET (north side)
5/43 Ye Olde Sun Inne
- II*

House, now inn. Early C18 with later additions and alterations. Colourwashed brick with pantile roof. 2 storeys, 3 first floor windows. C20 entrance under porch between second and third windows. Further C20 glazed door to left. Yorkshire sash with glazing bars, 16-pane sash in flush wood architrave under cambered arch. Broken 2-course first floor band. Yorkshire sashes with glazing bars to first floor break cogged band above. Roof line heightened. Remains of ashlar kneeler to right swept roof, end stacks. Irregular C19 and C20 outshuts to rear.

Listing NGR: SE5436244843

- 3.2 The public house is a traditional 18th building, two storeys high and has been extended as noted in the relevant planning history.

National Guidance and Policy – National Planning Policy Framework (NPPF), National Planning Practice Guide (NPPG)

- 3.3 The NPPF introduces, in paragraph 14, a presumption in favour of sustainable development, stating "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking". National

Planning Practice Guidance (NPPG) adds further context to the National Planning Policy Framework (“NPPF”) and it is intended that the two documents should be read together.

- 3.4 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. 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.

Selby District Core Strategy Local Plan

- 3.5 The relevant Core Strategy Policies are:

SP1 Presumption in Favour of Sustainable Development
SP2 Spatial Development Strategy
SP13 Scale and Distribution of Economic Growth
SP15 Sustainable Development and Climate Change
SP18 Protecting and Enhancing the Environment
SP19 Design Quality

Selby District Local Plan

- 3.6 As the Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, applications should be determined in accordance with the guidance in Paragraph 215 of the NPPF which states " In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans 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)".

The relevant Selby District Local Plan Policies are:

ENV1 Control of Development
ENV2 Environmental Pollution and Contaminated
ENV22 Setting of Listed Buildings
T1 Development in Relation to Highway

Other Guidance/Policies

- 3.7 North Yorkshire County Council SuDs Design Guidance, 2015

4.0 APPRAISAL

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

1. Principle of Development
2. Green Belt
3. Impact on Designated Heritage Assets
4. Character and Form
5. Residential amenity
6. Highways
7. Flood Risk, Drainage and Climate Change
8. Other Matters

4.2 Principle of Development

- 4.2.1 The application site lies within the defined development limits of Colton which is washed over Green Belt.
- 4.2.2 Colton is a Secondary Village in the Selby District Core Strategy. Policy SP2C (b) refers to only residential development may be absorbed inside Development Limits of Secondary Villages, but does not include other forms of development. However, SP2 criteria D overrides criteria B by requiring development which is in the Green Belt to conform to Policy SP3 Green Belt which aligns with the criteria set down in the NPPF Chapter 9.
- 4.2.3 It sets out that planning permission will not be granted for inappropriate development unless very special circumstances can be demonstrated that outweigh the presumption against it.

4.3 Green Belt

- 4.3.1 The application site is located within the Green Belt. The decision making process when considering proposals for development in the Green Belt is in three stages, and is as follows:-
- a) It must be determined whether the development is appropriate or inappropriate development in the Green Belt.
 - b) If the development is appropriate, the application should be determined on its own merits.
 - c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies and the development should not be permitted unless there are very special circumstances which outweigh the presumption against it.
- 4.3.2 Relevant Local Plan policies in respect to the Green Belt are Policies SP2 (d) and SP3 of the Core Strategy which states that planning applications in the Green Belt will be determined using national Green Belt policies. The NPPF is the government's current policy position on development in the Green Belt. The NPPF also states that the fundamental aim of Green Belt policy is keeping land permanently open. It goes on to say that the essential characteristics of Green Belts are their openness and their permanence.
- 4.3.3 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very

special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 4.3.4 The siting of the log cabin for ancillary use for the public house to sit and eat pizza is not considered to fall within any of the exceptions listed in paragraph 89 of the NPPF. The development is considered to be inappropriate development in the Green Belt and is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.3.5 The Agent notes in the submitted Heritage, Design and Access Statement that there are very special circumstances for the log cabin and this includes the owners of the pub wish to diversify the business by offering cost effective meals and that this diversification is important for the pubs survival. Councillor Musgrave also notes that the log cabin would be a benefit to the pub in its diversification.
- 4.3.6 'Very Special Circumstances' (VSC) is not defined in local or national planning policy, but through various appeal decisions, it can be considered as such circumstances that are extremely rare and the exceptional nature of the proposal or significant social and/or economic benefits to the wider community will need to be demonstrated within the application to prove that the proposal outweighs the harm to the Green Belt caused by the inappropriate development.
- 4.3.7 The Agent's case for VSC is not considered to be an exceptional rare occurrence or would bring about significant social and/or economic benefits to the wider community for example. There would be some social benefit to eating and drinking in the cabin, but this activity could ordinarily be carried out inside the pub building. There would be some economic gain from the development but this is not considered to provide economic benefits to the wider community. It would be worrying if the management of the public house is reliant on the log cabin use to sustain its economic viability.
- 4.3.8 It is thereby considered that no very special circumstance exist that would outweigh the presumption against it.

Impact on Openness of the Green Belt

- 4.3.9 Paragraph 79 states the essential characteristics of Green Belts are their openness and their permanence. Paragraph 80 details the five purposes Green Belt serves which are to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.3.10 The development has been sited on the site and the impact on the openness of the area is visually evident. The cabin has been in situ since May 2017 and can be considered a significant degree of permanence. The cabin has an impact on the openness of the Green Belt by the very nature of occupying what was an open space devoid of buildings or structures. The fundamental aim of Green Belt policy is to keep land permanently open by strictly controlling the extent of new building. The proposed development is considered to be inappropriate development in the Green

Belt and is, by definition, harmful to the openness of the Green Belt and should not be approved except in very special circumstances.

Harm to the Purposes of Including Land within the Green Belt

4.3.11 Having had regard to each of the purposes of including land in the Green Belt it is considered that the proposal does not result in the sprawl of large built up areas due to the proposal being located within the confines of the public house boundary. Furthermore it is not considered that the proposals would result in neighbouring towns merging into one another, would not encroach into the countryside and the site is not derelict and would therefore not assist in urban regeneration. In addition the development would preserve the setting and special character of historic towns hence there would be no conflict with the purposes of including land in the Green Belt in accordance with the NPPF.

Benefits of the scheme

4.3.12 The development brings limited benefits to the wider community and there would be some social benefit from use of the cabin in a socialising capacity. There is likely to be economic benefits from this development, but this would be minimal. Substantial weight is given to the definitional harm to the Green Belt and the erosion of openness of the Green Belt, and this harm is not outweighed by the limited benefits from the development.

Green Belt Conclusion

4.3.13 The development is considered to be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. No compelling very special circumstances justify the development that would outweigh the harm to the Green Belt or by other circumstances.

4.3.14 The applicant's case that the log cabin is needed to diversify the business is a weak case and could be repeated all too often. It is not a clear and convincing justification that can be considered to amount to very special circumstances. As such, the development is contrary to Policies SP2 (d) and SP3 of the Core Strategy and the relevant paragraphs within Chapter 9 of the NPPF.

4.4 Impact on Designated Heritage Assets

4.4.1 Planning (Listed Building and Conservation Areas) Act 1990 Section 66 states that special regard should be taken to works which affect the special architectural and historic interest of listed buildings, the character, appearance and setting of which it is desirable to preserve or enhance.

4.4.2 Local planning policies ENV1 and ENV22 of the Local Plan, policies SP18 and SP19 of the Core Strategy and paragraphs 128-137 of the NPPF are applicable to the determination of this application.

Assessment of Significance

- 4.4.3 The application is accompanied with a Heritage Statement which provides a succinct history and description of the Grade II listed pub and notes the internal changes, external alterations and extensions that the building has undergone since its construction, that are known.
- 4.4.4 The Heritage Statement notes that the listed description gives an indication of where the interest of the building lies in what is considered an attempt to devalue the setting of the building, particularly its western area where the log cabin is sited. There is no clear and convincing justification for the log cabin.
- 4.4.5 Setting is defined in the NPPF as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.'
- 4.4.6 The setting itself is not designated. Every heritage asset, whether designated or not, has a setting. Its importance, and therefore the degree of protection it is offered in planning decisions, depends entirely on the contribution it makes to the significance of the heritage asset or its appreciation.

Impact Assessment

- 4.4.7 The log cabin is situated in area of what was previously an open service yard, devoid of any buildings or structures. Prior to the siting of the log cabin, vehicles used the service yard to make deliveries to the pub and for waste collections. This has been noted by residents in their objections which they advise has resulted in a separate concern for them in terms of where vehicles now park. The setting of the listed building at the rear/western area of the building makes a positive contribution to the experience of viewing the western area of the building and the open space about it that has been eroded by this development. The log cabin diminishes this visual experience and negatively detracts from the setting of the listed building.
- 4.4.8 The application is submitted for a 3 year temporary permission but has been in situ since May 2017. The substantial harm to the setting of the listed building is evident and to consider a temporary permission for this development is not justified or supported.
- 4.4.9 Paragraph 134 states where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 4.4.10 The statutory test in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 sets out a presumption against development where there would be harm to the setting of a listed building and therefore regard, and great weight, has to be given to any harm to the setting of the Grade II listed Ye Olde Sun Inne in making a balanced judgement required by the NPPF, in respect to less than substantial harm to the designated heritage asset.

4.4.11 Officers consider that the less than substantial harm to the setting of the designated heritage asset is not outweighed by clear and convincing justification that would achieve public benefits of the proposal. The development fails the statutory test in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and is not in accordance with Policy ENV22 of Selby District Local Plan and Policy SP18 of Selby District Core Strategy and the NPPF, chapter 12.

4.5 Character and Form

4.5.1 The log cabin has been sited next to a single and two storey building that has a white external finish to the property. The log cabin is single storey with a maximum height of some 2.5m. The cabin is visible from public vantage points, namely the roadside and public footpath and also from some adjacent houses on Old Lane Court, although the applicant seeks outside of this application to have raised planted hedging on the south perimeter of the decking area to screen the cabin.

4.5.2 Notwithstanding the conflicts with Green Belt and heritage asset Policies already discussed in this report, the development with a white painted finish would not raise adverse conflicts with Policy ENV1 of Selby District Local Plan and Policy SP19 of Selby District Core Strategy.

4.6 Residential amenity

4.6.1 Objections raised by neighbouring residents as noted above in the report are concerned about the noise and disturbance attributed to the development, and amongst other matters such as the loss of the service yard for deliveries and parking problems caused by this.

4.6.2 The log cabin was operating last summer when it opened for use in May 2017. The log cabin has a wood fire pizza oven for cooking pizzas which are then consumed in the log cabin. The beer garden where the decking has been constructed has been used by patrons to consume alcohol and this is outside the pup and the use can be carried out subject to licensing legislation. Whilst the log cabin would have a congregation of customers in and around it, it is considered that this activity would not be significantly more or intense than a congregation of patrons drinking in the beer garden for example.

4.6.3 In any event, the Council's Environmental Health Team has not raised any objection to the development. If Members were minded to support the application, hours of operation of the log cabin could be considered if they considered this to mitigate against any loss of amenity.

4.6.4 Objections also refer to the fire hazard potential from the wood fire oven on the timber construction of the log cabin. As there has been no objection from statutory consultees on this matter, Officers consider that this matter would be controlled outside planning legislation.

4.6.5 Objections refer to smoke from the pizza oven causing a hazard and is a nuisance. There are no objections from EHO on this matter and consequently, any Environmental Health legislative breaches would fall outside planning legislation.

4.7 Highways

- 4.7.1 Objections received from neighbours refer to the knock on effect that the siting of the log cabin has had given that it occupies the service yard to the pub. This yard once had deliveries to the pub and waste collections. The neighbours refer to vehicles now parking on the disabled parking area, with overhang of the public footpath in the case of coaches.
- 4.7.2 These objections are noted and there would appear to be some disruption to the local highway network, but this would not be considered to be severe impacts.
- 4.7.3 NYCC Highways Officer has raised no objection to the development. As such, it is considered that the development is acceptable and in accordance with policies ENV1(2) and T1 of the Local Plan, Policy SP19 of the Core Strategy and Paragraph 39 of the NPPF with respect to the impacts on the highway network.

4.8 Flood Risk, Drainage and Climate Change

- 4.8.1 The application site is located in Flood Zone 1 as noted in the Environment Agency flood mapping. It is therefore considered that the development would be located in an acceptable location.
- 4.8.2 Objections have been received which refer to impacts from surface water in the locality and the main drains not capable of coping with this development. The service yard has a hard standing and the log cabin has been sited upon it. The application form states that surface water is disposed of to the mains sewer. No objections have been received from Yorkshire Water or the Drainage Board on this matter. As such, it is considered that the development does not adversely affect surface water drainage in the locality.
- 4.8.3 Whether it is necessary or appropriate to ensure that schemes comply with Policy SP15 (B) is a matter of fact and degree depending largely on the nature and scale of the proposed development. Having had regard to the nature and scale of the development, it is considered that its ability to contribute towards reducing carbon emissions, or scope to be resilient to the effects of climate change is so limited that it would not be necessary and, or appropriate to require the proposals to meet the requirements of criteria SP15 (B) of the Core Strategy.
- 4.8.4 It is considered that the development would be acceptable in terms of flood risk, drainage and climate change and therefore accords with Policies SP15, SP16, SP19 of the Core Strategy, and the advice contained within the NPPF.

4.9 Other Matters

- 4.9.1 The application is submitted retrospectively to regularise the breach of planning control. It is Officers recommendation that the development has a significant and adverse impact to the setting of a Grade II listed building and is inappropriate development in the Green Belt. Should Members conclude to support the Officer recommendation, timescales would have to be agreed between parties for the removal of the log cabin and reinstating the land to its former condition. This is a matter than can be referred to the Planning Enforcement Team to conclude.

- 4.9.2 The impact from a development on house value is not considered a material planning consideration in the determination of this application.
- 4.9.3 Objections that refer to waste burning on the wider pub house site would be a matter outside planning legislation and should be referred to Environmental Health for example.
- 4.9.4 Objections refer to the recently constructed decking area and raised planting beds. This development is not subject to assessment here, but would require assessment under a listed building application as the works appear to touch the external fabric of the listed building and possibly full planning permission. This matter will be referred to Planning Enforcement Team separate of this application.

Legal Issues

5.0 Planning Acts

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

5.1 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.

5.2 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.

Financial Issues

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

7.0 CONCLUSION

- 7.1 The development amounts to inappropriate development in the Green Belt and substantial weight is to be attached to such harm. There would also be loss of openness of the Green Belt. There are no other considerations that would arise as a result of the development, and the very special circumstances necessary to justify the proposal, as described in the Framework and Policy SP3 of the Core Strategy, do not therefore exist.

- 7.2 The development is considered to fail the statutory test of preserving or enhancing the setting a designated heritage asset, thereby having an adverse impact on the setting of a Grade II listed building.

8.0 RECOMMENDATION

This application is recommended to be REFUSED for the following reasons:

01. The log cabin is considered to result in inappropriate development in the Green Belt. There is a presumption against inappropriate development in

the Green Belt as such development is harmful by definition, and should not be permitted unless there are very special circumstances to justify the development. From the information submitted such circumstances do not exist in this case and therefore the development fails to accord with Policies SP2A (d) and SP3B of the Core Strategy and the advice contained within Chapter 9 of the NPPF.

02. The development has a detrimental impact on the openness of the Green Belt. The space around the listed building is much reduced and the level of built form in this location would be consolidated. This results in harm to the openness of this part of the Green Belt. The proposal is therefore considered to be inappropriate development within the Green Belt which is harmful by definition and should not be permitted unless there are very special circumstances to justify the development. Such circumstances have not been demonstrated in this case and therefore fail to accord with Policies SP2A (d) and SP3B of the Core Strategy and the advice contained within the NPPF.
03. The development has an adverse impact on the setting of a Grade II listed building, by virtue of its siting, obscuring views of the listed building and detracting from the experience of that setting. The development fails the statutory test in in Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 which sets out a presumption against development where there would be harm to the setting of a listed building and therefore regard, and great weight, is given to any harm to the setting of the Grade II listed Ye Olde Sun Inne. As such the development is contrary to Policy ENV22 of Selby District Local Plan, Policy SP18 of Selby District Core Strategy and the NPPF, which all seek to protect designated heritage assets from harmful development.

Contact Officer: Yvonne Naylor, Principal Planning Officer or Fiona Ellwood, Principal Planning Officer

Appendices: None