

**Officer Update Note
Planning Committee – 6 July 2022**

Item 5.1

APPLICATION NUMBER:	2020/1042/FULM	PARISH:	Selby Town Council
APPLICANT:	Aldi Stores Ltd	VALID DATE: EXPIRY DATE:	19th October 2020 20th June 2022
PROPOSAL:	Demolition and construction of a Class E foodstore, together with car parking, landscaping and associated works		
LOCATION:	Police Station Brownfield Site Portholme Road Selby		
RECOMMENDATION:	Grant subject to the signing of a legal agreement		

2 additional letters of support

- *“The people of Selby should have the right to access all types of shopping experience. Aldi offers discount shopping, but the present store is out of the town and consequently out of reach for many. Maybe this is not a planning consideration, but it is important in the present cost of living crisis.*

Also, surely the Council have set a precedent with other supermarkets trading in the area.”

- Resident does not consider HGV deliveries to be a concern. All the traffic will even out between the 3 supermarkets and most of the traffic is already there. Lots of money has been spent and delays caused by the objections. Morrisons and Tesco drivers have managed the route for years. No complaints received when the housing development was being built with 30-40 movements a day.

Applicants update from Highway Engineer (Andrew Mosley)

In the TA we confirm that the new footstore is a relocation and as such does not result in a pro-rata increase in trips.

The uplift equates to a 7.1% increase (TA – Para 6.5.6) in traffic flows at the new site which is equivalent to 8 and 17 trips in the AM and PM Peak hours respectively. The ‘step out’ area to the north-western corner of the site is within Aldi’s ownership and not within the adopted highway. To the east of the ‘step out’ the verge is within the adopted highway as attached, the wall effectively follows this as most uniformly as it within Aldi’s ownership.

Item 5.2

APPLICATION NUMBER:	2021/0788/EIA	PARISH:	Camblesforth Parish Council
APPLICANT:	Camblesforth Solar Farm Limited c/o Lanpro Services	VALID DATE: EXPIRY DATE:	30th June 2021 29th September 2021
PROPOSAL:	Development of a ground-mounted solar farm including associated infrastructure		
LOCATION:	Land North and South of Camela Lane Camblesforth Selby North Yorkshire		
RECOMMENDATION:	GRANT		

Conditions

The conditions in 'Section 7: Recommendation' of the report are to be updated as follows:

- Wording of Condition 03 to be updated as follows (additions in red):

03. If the development hereby permitted ceases to operate for a continuous period of 12 months (with the exception of for purposes of maintenance, repair or replacement of equipment), then a scheme for the decommissioning and removal of the development, shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for its written approval. The scheme shall make provision for the removal of the solar panels and associated infrastructure approved under this permission. The scheme shall also include the management and timing of any works and a traffic management plan to address likely traffic impact issues during the decommissioning period, an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats, and details of site restoration measures.

Reason:

In the interests of visual amenity and in order to comply with Policies SP17, SP18 and SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan.

- Wording of Condition 28 to be changed to the following:

28. Prior to commencement of development, a maintenance and management plan, detailing the activities required and who will adopt and maintain all the surface water drainage features for the lifetime of the development, shall be submitted to and

approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved maintenance and management plan.

Reason:

To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system, having had regard to the overarching principles set out in the Core Strategy and national planning policy contained within Chapter 14 of the NPPF.

All pre-commencement conditions have been agreed in writing by the applicant/agent.

Item 5.3

APPLICATION NUMBER:	2022/0188/FUL	PARISH:	Skipwith Parish Council
APPLICANT:	Skipwith Parish Council	VALID DATE: EXPIRY DATE:	28 th March 2022 15 th July 2022
PROPOSAL:	Change of use of land from agricultural to wildflower meadow with new perimeter timber fence to 2 no. sides with double gates, new pedestrian access and 3 no. rustic timber fences		
LOCATION:	Land Off Main Street Skipwith Selby North Yorkshire		
RECOMMENDATION:	GRANT		

Request for deferral

The applicant, Skipwith Parish Council, has requested that the item is deferred to allow them to resolve an objection from the landowner. This is a legal issue between the two parties and not a planning consideration but would determine if the proposal could go ahead if approved.

Officers would support a deferral for this matter to be resolved.

Additional representations

One further objection has been received by the landowner revoking his permission to the use of the land for a wildflower meadow in light of the views of the local residents in relation to the desire for a children's play area.

An additional representation has also been received in support of the proposal.

Item 5.4

APPLICATION NUMBER:	2022/0381/COU	PARISH:	Eggborough Parish Council
APPLICANT:	Dove Adolescent Services Ltd	VALID DATE: EXPIRY DATE:	10 th May 2022 13 th July 2022
PROPOSAL:	Change of use from C3 to C2 to be a children's home for 4 Children ages 8-18		
LOCATION:	Braemar Weeland Road Eggborough Selby North Yorkshire DN14 0PW		
RECOMMENDATION:	Grant		

Publicity

Additional Consultation Response

Para 2.2 – Parish Council – comments have now been received. These object to the proposal on the following grounds:

- It is a business with no business plan.
- There is no provision for off street parking or any suitable parking that will not obstruct the private road leading to Braemar Court.
- Parking will be required for Tutors, Carers, Visitors & Transport for example so a significant amount of parking is likely to be require.
- The volume of parking required will cause a hazard on the main road which sees a high volume of traffic daily including HGVs.
- The closeness to the roundabout will cause safety issues and possible driving hazards
- The previous resident of the property has raised concerns repeatedly about existing traffic issue on the main road

Concerns regarding highway safety issues have been covered in the original report under para 5.17 – 5.21 and no concerns have been raised by the Highways Authority.

Additional Representations

Para 2.4 – typo in report at time of writing the report the number of representations received were 13 not 23, however there are now 22 letters of representation in relation to the application.

The additional representations also object to the proposal however no new issues have been raised by the additional representations, all issues raised are covered in the original report.

Item 5.5

APPLICATION NUMBER:	2022/0455/HPA	PARISH:	Selby Town Council
APPLICANT:	Mr J Wilson	VALID DATE: EXPIRY DATE:	10 th May 2022 13 th July 2022
PROPOSAL:	Siting of a static caravan for purposes ancillary to the main dwellinghouse		
LOCATION:	Field View Wistow Road Selby North Yorkshire YO8 3LY		
RECOMMENDATION:	Grant		

Officer report changes

Reference to Policy H14 – In both the Policy section 4.7 of the committee report and within the conclusion para 6.1 policy H14 is referenced. This policy is not relevant to the application and did not guide the recommendation.

Revised wording of Condition 04 – The condition set out in the committee report makes reference to an ‘annexe’ this condition will be superseded with the following updated wording:

“The static caravan hereby permitted shall only be used in connection with and ancillary to the occupation of Field View, 64 Wistow Road. It shall not at any time be occupied as an independent dwelling or separated from the ownership or curtilage of the main dwelling at the site.

Reason: In order to preserve the amenities of residential properties in accordance with Policy ENV1 of the Selby District Local Plan.”

Additional representations

A total of three additional neighbour letters have been received since the completion of the committee report which raised the following issues:

- Concerns that all of the issues raised in the submitted letters of comment were not sufficiently addressed in the officer report.
- Objections to the focus on the proposed change in finish of the caravan. Concerns surrounding the usage of the caravan as a separate dwelling, not ancillary.
- Mention of the caravan as a 'holiday let' in the submitted FRA.
- The 3-year length of the permission as set out in recommended condition 01.
- The recommendation of approval by the case officer despite the prior refusal by SDC and dismissal of the previous appeal by PINS.
- The commencement of works on site without the necessary planning permissions having been sought in advance.
- A detrimental impact upon the character of the surrounding area. A restrictive covenant dated 1965 restricting the placing of structures or trees on the application site.

Item 5.6

APPLICATION NUMBER:	TPO 3/2022	PARISH:	Bilbrough Parish Council
LOCATION:	Pigeon Post, Main Street, Bilbrough, Selby, North Yorkshire, YO23 3PH		
DESCRIPTION	Confirmation of Provision TPO Reference 03/2022 relating to 1(no) Eucalyptus		
TPO SERVED:	16.3.22	DEADLINE FOR CONFIRMATION:	16.9.22
RECOMMENDATION	CONFIRM TREE PRESERVATION ORDER 3/2022		

Two additional letters of representation have been received from the owners of the tree who reside at Pigeon Post, and from the neighbours to the east from White House. The letters raise new considerations, which officers have responded to, as follows: from Pigeon Post asks that officers specifically respond to the following points:

- Climate change – the objector argued that increasingly strong and more frequent winds mean that large trees pose an increased risk of falling and

causing damage to buildings and people. Officers would respond to this by stating that the eucalyptus is within a group of trees within the rear garden of the dwelling and is of no more threat of failure than any other healthy tree in this grouping. This is not considered to be a robust enough reason by itself to allow its removal.

- Too close to buildings – the objector states that informed opinion from a specialist eucalyptus nursery suggests that the tree is too close to buildings. Officers note reference to this point in the previous letter of representation by the owner of the trees, who cited a website known as ‘king’s barn trees’ as the specialist nursery. This website sells eucalyptus trees and gives advice on how far they should be planted from buildings. However, no specific assessment has been submitted in this case to the local authority relating to the positioning of this tree and no further evidence has been received to show any structural damage to buildings as a result of the tree.

The second letter of representation from the neighbouring occupant to the east asks that their letter be summarised for members. The letter raises issues as follows, which officers will respond to in turn:

- Shading and loss of light which is causing other plants in the garden area to fail – Officers have responded to this point at paragraph 4.3 and 4.5 of the officer report.
- Danger of falling debris and bark – as above, officers would emphasise that no evidence has been submitted to the Local Authority to suggest that this particular tree is of an increased risk of limb failure than any other tree of its size or within its grouping.
- Concern over undermining of buildings foundations – officers note that no evidence has been received to the Local Authority that the tree is causing any structural damage.