

Officer Update Note
Planning Committee – 7th December 2022

Item 5.1

APPLICATION NUMBER:	2022/0918/OUT	PARISH:	Sherburn In Elmet Town Council
APPLICANT:	Taylor Property Developments (Yorkshire) Ltd	VALID DATE: EXPIRY DATE:	9th August 2022 14 th December 2022
PROPOSAL:	Outline application for development of 5 new detached houses including access, appearance, layout and scale (all other matters reserved) (amended plans) on land to the rear of		
LOCATION:	7 Low Street Sherburn In Elmet Leeds North Yorkshire LS25 6BG		
RECOMMENDATION:	GRANT subject to a S106 Agreement for Recreational Open Space and Waste/ Recycling Contributions		

Additional Comments from Third Parties

Parish Council

Remain concerned with regards to the unadopted road proposal, and the sizing used for the bin lorries and car parking, which would make the turning circle unworkable and passing of vehicles unworkable. The proposal will lead to a loss of 3 car parking spaces to the front of the development reducing the overall level of car parking in the town centre. Also raise concerns that the houses are not bungalows.

Clarifications

Car Parking

A large number of objections to the application relate to the loss of car parking to the frontage of the development, planning permission is not required by the landowner to remove this parking.

The area of car parking to the front of the SPAR does not form part of the application site, and thus the applicant is not claiming ownership of this land. The proposal includes a set of railings along the boundary with this car parking area, removing access from the application site. There remains access from the highway.

The applicant has stated that there is no legal right of access to this area of land from the application site. No evidence has been provided which disputes this statement, however this is a legal matter between the relevant parties and not a material planning consideration.

Report para 5.25

The proposal provides 5 car parking spaces to replace those lost on the frontage available for general parking. Each dwelling has 2 parking spaces in addition to these.

Item 5.3

APPLICATION NUMBER:	2022/1106/OUT	PARISH:	Bolton Percy Parish Council
APPLICANT:	Mr & Mrs Musgrave & Woffinden	VALID DATE:	3 rd October 2022
		EXPIRY DATE:	16 th December 2022
PROPOSAL:	Outline application with all matters reserved for erection of detached dormer bungalow with garage and associated domestic curtilage on land adjacent to Mote Hill House and Oak View		
LOCATION:	Field House, School Lane, Bolton Percy, Tadcaster, North Yorkshire, YO23 7BF		
RECOMMENDATION:	GRANT		

Additional Comments from Third Parties

Further comments have been received on the application from a third party. These comments reflect those already summarised in the Officers Report, but additional points can be summarised as follows:

Need

- Bolton Percy is already a mixed community with several bungalows built in the 1960s. (5.52) Almost all have been converted into houses. The proposal is for a dormer bungalow so not a property suitable for occupants requiring no stairs, if that is what is meant by an unfulfilled need for bungalows

Precedent

- If approved can it be assumed that all properties in Bolton Percy with land regarded as "under utilised" and a driveway are suitable for the erection of bungalows? Alleged to improve the landscape and wildlife habitat! Really?

Other Matters

- Applications refused by the Planning Committee in January and February this year had similarity to this one - i.e. outside the village development limit: 2019/0031/FUL and 2019/0522/FUL

In response Officers would note that

- The type of unit proposed on the site is considered acceptable
- The unit will add to the mix of housing provision in the village
- The approval of the scheme would not mean that all other land would be suitable for development and each case would be assessed on its merits as were the noted cases considered by Committee in January 2022 and February 2022.

As such, Officers would note that these additional comments do not alter the recommendation before Committee.

Yorkshire Water

Members are advised that Yorkshire Water have previously advised Officers that on basis of the application being for one dwelling no observation comments have been provided. However, they did advise that in terms of concerns raised about operational issues in the settlement that exist already, then this is not something that they consider in responding on Planning Applications, and those raising concerns should be reporting any sewer related problems.

Item 5.4

APPLICATION NUMBER:	2020/0183/FUL	PARISH:	North Duffield Parish Council
APPLICANT:	Mrs Jennifer Hubbard	VALID DATE: EXPIRY DATE:	21st February 2020 17th April 2020
PROPOSAL:	Proposed erection of dwelling with integral garage and construction of access road on land to the west of		
LOCATION:	Land At The Paddocks York Road North Duffield Selby North Yorkshire		
RECOMMENDATION:	Planning Permission be GRANTED subject to conditions.		

For Clarity/Corrections - Relevant Planning History

1.8 The following historical application is considered to be relevant to the determination of this application:

Application Site

- a. **Original Permission** - 2015/0517/OUT - Outline application including access and layout for residential and associated development (**35 dwellings**). Approved on 3 December 2015. Lapsed
- b. **Previous approval on the application site** - 2018/1347/OUT Erection of 2 single storey custom-build dwellings and Construction of access. Granted 29.04.2019. Expired 29.04.2022 whilst current application under consideration.

For context other applications not directly relevant to the determination of this application

- c. **Access and Part of Site** - 2018/1344/OUTM - Outline application including access (all other matters reserved) for erection of dwellings and construction of access, approved on the 15.02.2021.

- d. **The Paddocks – Land to the north being developed out** - 2018/1346/FULM - Full application for the proposed erection of **14 dwellings** and Creation of new access. Approved on the 24.11.2020.
- e. **Single Plot to the East – Jenny Hubbard Self Build** - 2018/1345/FUL - Full application for the proposed erection of self-build dwelling and construction of access road. Approved on the 29.04.2019. (Rear of Allonby House – Development Commenced)
- f. **Land At The Paddocks, York Road to the south of the site** - 2022/0208/FUL Erection of **5no.** dwellings comprising of two 4no. bedroom 2-storey houses, two 5no. bedroom 2-storey houses and one 3no. bedroom bungalow and construction of new access road between Lilac and Mandale House, York Road. PENDING CONSIDERATION
- g. **To the south of the site - Land At The Paddocks York Road** - 2018/0349/FUL Proposed erection of wildlife tower. Granted 22.06.2018. COMPLETED
- h. **Land at the Paddocks Plot A To the West of the Site** – 2020/0181/FUL Proposed erection of dwelling, garage and glasshouse and construction of an access road. Refused on 29.11.2022 due to trees and ecology.

Item 5.5

APPLICATION NUMBER:	2022/0622/FUL	PARISH:	Riccall Parish Council
APPLICANT:	Stones4Homes Ltd	VALID DATE: EXPIRY DATE:	3rd August 2022 16 th December 2022
PROPOSAL:	Continued use of land for the storage, bagging and sale of building aggregates and landscaping products (e.g. paving stones) and retention of processing building and offices. (retrospective)		
LOCATION:	Stones4homes Ltd, Riccall Airfield, Market Weighton Road, Barby, YO8 5LD		
RECOMMENDATION:	GRANT following expiration of the consultation period		

A consultation response from North Yorkshire County Council's Ecologist has been received. The comments are as follows:

County Ecologist - Thank you for consulting the NYCC ecology team regarding this application.

Given the passage of time since the site was cleared and hard surfaced prior to 2007, we have no specific comments other than to note that we would expect any further clearance of natural vegetation on the southern or eastern boundaries of the sites to be subject to ecological mitigation, and Biodiversity Net Gain policies would apply.

Natural England have not yet provided a consultation response on the application. However, the expiry date for consultation comments from Natural England is 19th December 2022. The recommendation is to grant planning permission following expiration of the consultation period and no adverse comments being received by Natural England.