

Officer Update Note
Planning Committee – 8 February 2023

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 15 th March 2023
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 to ensure the access is kept clear for the lifetime of the development; for the maintenance of the railings and area of open land and for Recreational Open Space and Waste/ Recycling Contributions		

Amendment to Report

Paragraph 1.1 refers to ‘previously Jacksons the Butchers’ - for clarification the retail unit is still operating as Jacksons the Butchers.

Additional representations

A further representation has been received. Raising objections to the scheme with regards to the lack of need and the fact that it would be impractical to build in this location. The additional representation does not raise any additional issues that are not already covered in the Officer report.

A query has been received in relation to the number of units using the access and whether this should be adopted which has been circulated to Members.

Highways Clarification

The application seeks permission for 5 no. dwellings however there is an upstairs flat above the Butchers Shop. The Highways Authority does not adopt all roads where there are 6 or above units using the access. There are sites within North Yorkshire where unadopted streets serve more than 6 residential units. The Highways Authority have confirmed that they would not seek to adopt the highway in relation to this application and therefore there are no changes to their recommendations.

Clarification Points following the site visit

Clarification was sought on the size of the site and various dimensions on the site visit. These dimensions are as follows:

Dimensions of site:

From the rear elevation of the outbuilding to rear of no. 7 Low Street to the eastern end of the site – 194.7m

Site Widths at various points along the site below.

Turning Head Behind Shop - 18.9M

Boundary Between Plots 1 & 2 - 18.7M

Boundary Between Plots 3 & 4 - 16.7M

Boundary Between Plots 5 & 5 - 17.5M

Turning Head Behind Plot 5 - 16.2M

Width between the railings at narrowest point: 3.2m

Width of access between outbuilding and site boundary 3.68m



Item 5.2

APPLICATION NUMBER:	2019/0559/FULM	PARISH:	Colton Parish
APPLICANT:	Braegate Produce Ltd	VALID DATE: EXPIRY DATE:	05.06.2019 28.02.2021
PROPOSAL:	Use of agricultural buildings and land for the processing and storage of potatoes, erection of enlarged storage building following demolition of existing building, construction of internal road way and footpath, construction of water tanks, excavation of lagoons, and construction of hardstandings.		
LOCATION:	Ibbotsons Mill Hill Braegate Lane Colton Tadcaster LS24 8EW		
RECOMMENDATION:	REFUSE		

Amendment to Introduction

Whilst no further traffic statement or Landscape Visual Impact Assessment has been provided an amended planning statement was provided by the agent along with a spreadsheet of potato loads for 2021.

The statement says that:

- On average there are 20 goods vehicles per day into or out of the site or 40 traffic movements
- The previous conditions recommended to manage impact on residential amenity through control of hours particularly at weekends would affect the survival of the business.
- The trees to the north of the site are outside the application site, there will be some tree removal but the applicant's intention is to replace the trees with a hedge.
- In terms of the outdoor storage the applicant accepts that this needs planning permission and that a condition requiring details of outdoor storage will manage the visual impact.
- When the application was first considered there was 86 jobs now there are around 106 staff.
- The Local Highways Authority has raised no objections on two occasions but then revise their comments requiring additional information. The applicant should be given time to prepare the information.

Amendment to paragraph 2.18 of the report

A further representation was received from Veritas Planning Ltd on behalf of Samuel Smith Old Brewery (Tadcaster).

This representation was received on the 11 January 2022 before the committee on the 12 January 2022 and included in the Officer Update Note.

The representation is summarised below:

- The proposal is contrary to policy – spatial strategy restricts development in countryside locations with preference being urban centres and locations
- The site is in the countryside and adjacent to the Green Belt but not within it – this has not been assessed. The use will have an impact on the Green Belt due to the activities associated with the use.
- The lawful use is agriculture, and the use of the site is unauthorised
- Additional policies referenced that are not included/should not be included in the officer report namely:
 ENV 2 (Environmental Protection and Contaminated land),
 ENV 21 (Landscaping Requirements),
 EMP7 (Employment Development in the Countryside),
 T2 (Access to Roads)
 SP2 Green Belt
 SP13 Scale and Distribution of Economic Growth
- Insufficient information provided to assess the proposal in terms of landscape impact and impact on openness of Green Belt
- The proposal is not sustainable development
- The proposal leads to highway safety issues
- The proposal is not sustainable development due to it being remove from the main centres
- The site is not previously developed land as the NPPF definition excludes agricultural buildings
- The proposal is not diversification or expansion of an existing industrial/business use
- The proposal will result in significant new journeys that could otherwise be directed to rail/bus/walking/cycling
- The location of the site does not provide a safe access

Item 5.3

APPLICATION NUMBER:	2021/1353/FUL	PARISH:	North Duffield Parish Council
APPLICANT:	Mr Matthew Gath	VALID DATE: EXPIRY DATE:	3rd November 2021 28 February 2023
PROPOSAL:	Erection of 5 dwellings and associated infrastructure		
LOCATION:	Land Adjacent A163 Market Weighton Road North Duffield Selby North Yorkshire		
RECOMMENDATION:	REFUSE		

Comments have been received yesterday from North Duffield Parish Council stating;

“Councillors would like to reiterate their support for this application and would like to see the application passed as soon as possible. There is a lack of two-bedroom starter homes available in the village and councillors believe this development would benefit the community immensely.”

Item 5.4

APPLICATION NUMBER:	2019/0458/OUTM	PARISH:	Hemingbrough Parish Council
APPLICANT:	Mr B Falkingham & WA Hare & Son Ltd	VALID DATE: EXPIRY DATE:	3rd May 2019 10th February 2023
PROPOSAL:	Outline application including access (all other matters reserved) for residential development for up to 40no custom built dwellings		
LOCATION:	Land Off School Road School Road Hemingbrough Selby North Yorkshire		
RECOMMENDATION:	REFUSE		

Correction to report (paragraph 5.15, page 104): Emerging allocation HEMB-G has been identified to have an indicative capacity of 123 dwellings, not 120 as stated.

Additional representations received:

2 further objections (both from same writer) have been received. Additional grounds of objection to those set out on pages 98-99 of the report are:

- Noise and disturbance from access via Chapel Balk Road
- Nothing has changed since previous refusal
- does the junction of School Road and A63 have capacity?
- does school have capacity for increased numbers?
- detrimental to residential amenity neighbouring dwellings

Additional consultation responses received:

NYCC Minerals and Waste: Confirm that they have no objection to the proposal.

LLFA – Following the LLFA’s original consultation response objecting to the proposal the applicant submitted additional drainage information dated July 2019. The LLFA have been consulted on this additional information and maintain their objection, as detailed on page 97 of the report, that the applicant has not robustly followed the discharge hierarchy for surface water as set out in Part H of the building regulations and that the applicant not demonstrated that the site will not increase flood risk elsewhere.

Landscape Architect: Following the Council's Landscape Architect's original consultation response the applicant submitted a Landscape Impact Review dated January 2021. The Landscape Architect has considered this information and provided a further consultation response dated 30th January 2023 stating:

I have reviewed the further landscape related information and 'Landscape Impact Review' submitted by the Applicant contained within the 'Custom Build Development', email cover letter dated 19/8/2021.

The Applicant has not provided any further information which would demonstrate that the landscape concerns previously raised could be sufficiently addressed or resolved. This further information does not change my previous opinion or assessment of the Application.

The Landscape objection and landscape consultation comments previously made on 21 August 2019 would remain.