



Report Reference Number: 2018/0450/FULM

To: Planning Committee
Date: 16 January 2019
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2018/0450/FULM	PARISH:	Stapleton Parish Council
APPLICANT:	Dovecote Park Ltd	VALID DATE:	20 April 2018
		EXPIRY DATE:	20 July 2018
PROPOSAL:	Proposed erection of a new dry aged chiller and extension to the fat processing room and retrospective extensions to the venison lairage facility		
LOCATION:	Dovecote Park Bankwood Road Stapleton Pontefract West Yorkshire WF8 3DD		
RECOMMENDATION:	MINDED TO APPROVE – Refer to the Secretary of State		

This application has been brought before Planning Committee because it constitutes inappropriate development within the Green Belt.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The topography of the land running from Bankwood Road (the entrance of the complex) to the northern edge of the site at the adjacent property of Home Farm has an undulating character. From the entrance at Bankwood Road the land rises and then dips where the main complex of buildings are located. From the main complex of buildings the land significantly rises again. The topography of the land running from west to east has an undulating character where the main complex building is located in the hidden dip of the land.

- 1.2 From the south of the site at the entrance the boundary treatment is high natural stone walling with a plantation of large mature deciduous trees which screens the highest part of the existing buildings. Surrounding the main complex of buildings there are high mature evergreen trees.

The proposal

- 1.3 The application seeks planning permission for

A: The proposed erection of a new dry aged chiller 44m L x 17m W in place of the previously consented chiller of 22.7m x 10.2m. The height of this proposal would be 10.5m and it would be constructed from timer and fair faced blockwork with a curved profile metal sheet roof.

B: Extension to the fat processing room 17m L x 9m W by 3.25m H constructed from timber cladding and a profiled metal clad roof, and

C: Retrospective extensions and permissions for venison processing, lairage and boning hall. Overall the approved floor area was 641 sq m combined compared to the as built construction which is being sought to be regularised of 665 sq m.

Planning History

- 1.5 There have been a large number of applications relating to this site, and the current applicants have been operating here since 1997. The most relevant recent permission is from 2017.

- 2017/0283/FUL Extensions to the established commercial premises at Dovecote Park to provide a new tray storage facility, venison lairage facility, dray aged chiller and a replacement site office

- 1.6 The total gross new floorspace on this approval was 815 sq m so it did not need to be referred and the authority concluded that very special circumstances existed to warrant the granting of this consent in May 2017.

2.0 CONSULTATION AND PUBLICITY

- 2.1 The application was advertised by site and press notice as a departure to the Local Plan and neighbours notified by letter. No neighbour representations have been received as a result.

- 2.2 **Yorkshire Water Services Ltd** - No response received.

- 2.3 **Environmental Health** - No response received.

- 2.4 **Public Rights Of Way Officer** - No response received.

- 2.5 **Parish Council** - No response received.

- 2.6 **Danvm Drainage Commissioners Shire Group Of IDBs** - No response received.

- 2.7 **NYCC Highways** – Replied with no objections.

- 2.8 **Heritage Services Officer** – Replied with no objections.

- 2.9 **SuDS And Development Control Officer** - The increase of impermeable area appears to be very small, the key question from a flood risk and drainage perspective is whether the drainage layout has changed from the original proposal. There do not appear to be any drainage plans or statements with this application; it would be appreciated if the applicant could confirm how the drainage that has been built differs from what was previously approved.

3.0 SITE CONSTRAINTS AND POLICY CONTEXT

Constraints

- 3.1 The application site is located outside the defined development limits, within the Green Belt and the Locally Important Landscape Area, and within Flood Zone 1 on the Environment Agency's Flood Risk Maps.

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

- 3.2 The National Planning Policy Framework (July 2018) replaces the first NPPF published in March 2012. The Framework does not change the status of an up to date development plan and where an application conflicts with such a plan, permission should not usually be granted (paragraph 12). This application has been considered against the 2018 NPPF.

Selby District Core Strategy Local Plan

- 3.4 The relevant Core Strategy Policies are:

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy
SP3 - Green Belt
SP13 - Scale and Distribution of Economic Growth
SP18 - Protecting and Enhancing the Environment
SP19 - Design Quality

Selby District Local Plan

- 3.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework.

“213.existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, 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
ENV15 - Locally Important Landscape Areas
EMP9 - Expansion of Existing Employment Uses
T1 - Development in Relation to Highway

4.0 APPRAISAL

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

- The background and the proposed development
- Principle of Development
- Policies in the NPPF which require development should be restricted
 - i) Green Belt
- The Impacts of the Proposal:
 - a) Impact on the Character and Form of the area
 - b) Residential Amenity
 - c) Highways
 - d) Flood Risk
 - e) Nature Conservation and Protected Species
 - f) Contamination
- Case for Very Special Circumstances

The background and the proposed development

4.2 In 2017, the applicant secured planning permission (2017/0283/FUL) on the site for:

- Extension to provide new tray storage facility;
- Extension to provide a new venison lairage facility
- Extension to dry aged chiller; and
- Extension to deliver a replacement site office.

4.3 However, the works as built deviated from the approval and the as built floorspace exceeds the consent by some 25 sq m. This application seeks permission to regularise retrospective works to the complex and for new works set out below.

New works

4.4 The new works include changing the size, siting and position of the dry aged chiller in the 2017 application and tunnel freezer and tallow extension to the existing fat processing room. The site has an extant consent for a smaller dry aged chiller with dimensions of 22.7m by 10.2m. The proposed new dry aged chiller is to be orientated in a 90o direction and has dimensions of 44.0m in length and 17.0m in width and will be 10.5m in height. The submitted planning statement states that the changes are required because:

“The new dry aged chiller is required on site due to the business being in a growth phase for dry aged products to their main customer, Waitrose and the need for additional space for product maturation. The applicant currently uses two areas at the moment for ageing beef but one near the offices is too far away from the production lines and so is therefore considered to be inefficient. Therefore, the applicant wishes to consolidate the maturation processes to one area to improve on product quality and consistency and also take into account the additional sales. The

expansion to this area of business also means that Dovecote Park require the dry aged chiller to be slightly larger than those approved on site.”

- 4.5 The submitted planning statements states that tunnel freezer and tallow extensions to the existing fat processing room are required because:

“to provide additional storage room for raw material fat under cover prior to it being processed. The extension will also contain a freezer tunnel to cool a by-product called greaves which is the unmeltable residue left after animal fat has been rendered. This is currently disposed of as a category 3 material but it is proposed that this product will be frozen and sold for pet food”.

Retrospective Works

- 4.6 The retrospective works include an infill extension in between the two approved venison lairage facility buildings. It also includes increasing the size of the north off shot venison facility buildings. There is also a retrospective extension to the west of the venison lairage facility building.

- 4.7 The submitted planning statement states that changes to the approved Venison Processing Area and Lairage were because:

“As the abattoir was being constructed it became apparent that the building footprint needed to be increased slightly to fit the automatic kills line into the building, furthermore it was realised during the build that some enlargements were required to the building in order to meet all the Food Standards Agency for separation of animals on the line.

The lairage has been increased in size to allow the welfare of the animals within the pens to be maximised. Due to the temperament of the deer, care was required to ensure that the pens and offloading ramps were laid out correctly. Subsequently the off-loading ramp needed to be increased by 0.5m which impacted on the footprint of the lairage and it has been constructed to ensure the welfare standards of the animals are met.

The gap between the existing buildings and the venison abattoir was increased to 0.9m in order to improve staff access to both facilities and allow for an improved foot wash scheme to meet hygiene rules, the size of which was not anticipated originally. Overall, the floor area of the lairage and venison processing room was 641 sqm combined whereas the combined floor area as built is 666 sqm.”

- 4.8 The submitted planning statement states the need for the addition to the venison boning building is because:

“Initially a venison boning hall was constructed adjacent to the abattoir but it was realised that this facility would not meet the Food Standards Agency requirements for the throughput of the de-boning of venison quarters once chilled. The original small boning hall led to inefficient meat processing occurring on site as it was not large enough to cope with the amount of meat it was supposed to be processing which in turn meant that it would not meet the strict hygiene and operational rules of the Food Safety Agency. In order to allow the processing of the meat to be carried out by the correct method, an extension was built adjacent, to the west, of the abattoir in order to allow for the effective de-boning to meet the standards required.”

Policies in the NPPF which require development should be restricted.

Green Belt

- 4.9 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 development in the Green Belt. The NPPF and Local Plan set out the categories of appropriate development.
 - b. If the development is appropriate, the application should be determined on its own merits unless there is demonstrable harm to interests of acknowledged importance, other than the preservation of the Green Belt itself.
 - 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.
- 4.10 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.11 Paragraphs 145 and 146 of the NPPF set out inappropriate development in the Green Belt in that 'the construction of new buildings is inappropriate', however exceptions to this include 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.
- 4.12 The term 'disproportionate' is not defined. On the basis of planning appeal decisions and case law it is normally considered that extensions exceeding 50% of the volume of the original building, taken either singularly or cumulatively with other extensions, constitute a disproportionate addition. Notwithstanding this the 50% volume addition of the original building 'criterion' should only be used as a guide and not a definitive rule and even additions of 40% could appear to be disproportionate dependent upon the size, scale and design of the extension and host property.
- 4.13 It is also important that regard is given to cumulative impacts of successive extensions to avoid incremental additions resulting in disproportionate additions over time. In such cases a particular extension in itself may appear small, but when considered together with other extensions may be considered to constitute a disproportionate addition.
- 4.14 A number of extensions to the Dovecote Park Complex have been approved and a particularly large extension had been approved under application reference 2010/1301/FUL. Taking these extensions cumulatively they would result in disproportionate additions over and above that of the original building.
- 4.15 The proposed development would therefore be inappropriate development in the Green Belt and 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' (NPPF para 144).

Assessment of Harm from the Proposed Development

- 4.16 In order to assess whether the proposal would result in any other harm than the definitional harm by means of inappropriateness it is important to undertake the 'normal tests' applied to any planning submission.

Impacts of the proposal

Impact on the Character and Form of the area

- 4.17 The proposals would extend the footprint and mass of the complex and the extensions would be viewed against the back drop of the main complex of buildings which are greater in height or of the same height.
- 4.18 The new dry aged chiller is located in between the south of the main complex building and the office buildings on the site. The new dry aged chiller is seen against the back drop of the host buildings and would relate to the host buildings in terms of scale, bulk and mass. The dry aged chiller does not protrude any further east than the existing built form of the complex.
- 4.19 The retrospective extensions to the venison lairage facility are located to the north of the complex and are located in between the existing buildings and are seen against the back drop of the existing complex buildings. This extension is smaller in size than the existing complex buildings and would relate to the host buildings in terms of scale, bulk and mass.
- 4.20 The tunnel freezer and tallow extension to the fat processing room are to the east of this building which is in the north east part of the complex. This extension is considered to relate to the host buildings in terms of scale, bulk and mass.
- 4.21 The extensions to the host building would be positioned where the functional and operational demand for these new additions will be met. The position of the proposed and retrospective extensions would not appear isolated additions and would relate to the current large mass of buildings on the site. The context of the extensions in this proposed scheme is considered not to adversely affect the openness of the Green Belt and therefore, in this respect, it accords with Policy SP3 of the Selby District Local Plan and the NPPF.
- 4.22 Policy ENV15 relates to design and impacts on the Locally Important Landscape Area (LILA). The buildings on the site are confined within the boundary parameters of the business and there would be no encroachment into land outside this parameter. The impact on the LILA would therefore be minimal.

Residential Amenity

- 4.23 Due to the combination of the orientation of the site, the height, the projection and siting of the proposed scheme and distance away from the neighbouring properties, the proposal is considered not to cause significant adverse effects of overlooking, overshadowing and or oppression.
- 4.24 It is therefore considered that the amenity of the adjacent residents would be preserved in accordance with Policy ENV1 of the Selby District Local Plan in this respect.

Highways

- 4.25 The Highway Authority raises no objections to the application and it is therefore considered that the proposal would not create conditions prejudicial to highway safety therefore the proposed scheme is considered acceptable and accords with policies ENV1 and T1 of the Local Plan, and the advice contained with the NPPF.

Flood Risk

- 4.26 The application site is located in Flood Zone 1 (low probability of flooding). As such a sequential flood test is not required. There are existing drainage systems within the site and further detail is not required at this stage. The proposed scheme therefore accords with Policies SP15 and SP19 of the Core Strategy.

Contamination

- 4.27 The site is operational and is undertaken within large industrial buildings and converted offices. The new extensions would be located on hard standing land that is considered previously developed land. There is a constraint for the site as potentially contaminated land – slaughter house, abattoir. There are no expected contaminants from other forms of land contamination. Therefore given the current use of the site and the known slaughter use operating on the site, it is considered that it is not necessary to seek land contamination information at this stage.
- 4.28 The proposal is therefore considered to be acceptable with respect to contamination in accordance with Policy ENV2 of the Local Plan and Policy SP19 of the Core Strategy.

5.0 Case for Very Special Circumstances

- 5.1 In relation to Very Special Circumstances (vsc's) it is necessary for the decision maker to conduct a balancing exercise by weighing the harm by reason of inappropriateness and any other harm against other circumstances in order to form a view whether those other circumstances amount to very special circumstances. An authority on this is from the Court of Appeal in *Wychavon District Council v Secretary of State (2008)*. A normal or common planning consideration is capable of giving rise to very special circumstances and the correct approach, it was found, is to make a qualitative judgment as to the weight to be attached to the factor under consideration. The NPPF limits itself to indicating that the balance of such factors must be such as 'clearly' to outweigh the harm by reason of inappropriate and any other harm.
- 5.2 The application has submitted a case for very special circumstances and they consider that there are several significant considerations which comprise the case required to overcome the harm to the Green Belt caused by the proposal. These are as follows:
- the Scope for Disaggregation;
 - the need for the facility in both commercial and economic terms; operational considerations; and
 - employment Impact.

5.3 Each VSC will be discussed in turn.

The Scope for Disaggregation,

5.4 The agent has stated:

5.5 *'company has two sites one based with the district at Dovecote Park and other at Skellington site which outside Selby District. The Skellington site of the company only has the facilities for the killing element of the abattoir whereas as the Dovecote Park has both the killing elements and the processing and packaging elements for the abattoir which can be seen from the comprehensive development and planning history of the Dovecote Park complex'.*

5.6 For the Venison Lairage element of the proposal the supporting information states:

5.7 *'The Dovecote Park site was chosen rather than the Skellington site as it did not have a large area to accommodate the venison abattoir. It is the largest venison abattoir in the country by far. The facility will incorporate new techniques that have not previously been implemented in the UK for slaughter lines e.g. automatic line, specialised lairage and individual stun box. The facility was designed following trips to New Zealand to allow the management to see the facilities which are designed for large scale operations for deer and as such are organised and developed for larger scale throughput.*

5.8 *When it was first determined that a new venison abattoir was required for Waitrose, a survey of all the other venison abattoirs in the United Kingdom was carried out, none were found to be suitable for the needs of Dovecote Park in terms of size and standards.*

5.9 *For both efficiency and practicality it was decided to build the venison abattoir on the Stapleton site adjacent to the current beef abattoir so that the current staff could carry out both operations. This could be achieved by building semi-automated venison abattoir production line that would be used first in the mornings and then move onto cattle once the venison production was completed'.*

5.10 In the terms of the vsc's submitted in relation to the Venison Lairage it is acknowledged that the Lairage already has planning permission in the 2017 application and is already operational. This application seeks permission to expand the facility due to the Food Standards Agency (FSA) requirements.

5.11 Due to the combination of the existing Lairage facility, technological techniques and requirements for the Lairage, the production line process, availability of local skilled labour force, the lack of land availability at the Skellington site and that the facility is unique in the UK, officers consider that it is unreasonable and inappropriate to assume possible disaggregation of the site processes. It is considered that the case for the expansion and improvement of this facility at the Dovecote Park site has been established given the above requirements and to continue to meet the Waitrose contract. Officers consider that these are vsc's and should be given significant weight.

Dry aged Chiller

5.12 On the Dry aged chiller the agent states "that the site already has an extant planning permission for this facility on the Dovecote Park site".

5.13 The agent has stated that:

5.14 *'...this application is required for an increased size Dry aged chiller facility because the market demands for Dry aged products are growing year on year with the Increase in weight of dry aged beef over time being shown below:*

- 2014-5 17% over previous year
- 2015 -6 71%
- 2016-7 8%
- 2017-8 10%.

5.15 *Dovecote Park slaughters beef cattle and they need to balance out the sales of all the carcass as on occasions Waitrose do not require the whole carcass. They endeavour to sell most of the product to Waitrose (approx. 90%) but there is always an imbalance which is sold to other customers mostly in food service. The company has always operated in this manner. The alternative would be to waste that meat.*

5.16 *Dovecote Park has always sold cuts of beef that could be dry aged in vacuum pack form, however, but the trend in the last few years is for sales of dry aged beef to increase with the company having recently secured more business in longer term agreements in food service (restaurants and catering outlets) for dry aged products. Whilst the company will be selling the same percentage of their products into food service, it is now predominantly dry aged beef rather than in vacuum packed form. Despite the contracts with the food service being won the majority of the dry aged produce is destined for Waitrose and sales have grown significantly over the last few years hence the requirement for a larger dry aged facility than previously planned. Again the facility is required at this site as it will utilise the existing workforce on site and site infrastructure.'*

5.17 In terms of the case for vsc's being established in relation to the Dry aged chiller, it is acknowledged that the chiller already has extant planning permission. Officers consider that the expansion of the Dry aged chiller on site is justified due to the combination of the case for the investment in the technological techniques and requirements in the Dovecote Park complex together with the particular requirements of the production line process and the presence of a skilled labour force; the lack of land availability at the Skellington site and that the Dovecote Park complex is the second biggest largest independent British processor of its kind based in the UK. As indicated above in order to meet charging market demand for dry aged products it is considered unreasonable and inappropriate to consider disaggregation of the site. Offices consider that the case for the expansion and improvement of the Dovecote Park site have been established given the above requirements and to the need to continue to meet the Waitrose contract. It is considered that these factors are vsc's and should be given significant weight.

The need for the facility in both commercial and economic terms and operation consideration;

5.18 For the Venison Lairage the agent has stated:

5.19 *'The size of the abattoir needed to be amended due to the operational requirements of an automatic kill line into the building; additionally enlargements to the building were required in order to meet the Food Standards Agency with reference to the separation of animals on the line.*

- 5.20 *The layout of the lairage needed to be increased in size in order to look after the welfare of the animals on site. To ensure this happened the greatest of care was taken in designing the layout of the pens and off-loading ramps to ensure it met animal welfare standards. In doing so it was identified that the off-loading ramp needed to be widened by 0.5m therefore a larger footprint was required.*
- 5.21 *The venison boning hall was required to enable the processing of the venison to occur by the correct method by allowing the effective de-boning of the venison to meet strict hygiene and operational rules of the Food Safety Agency’.*
- 5.22 In addition to the above the agent has provided evidence that there has been ongoing meetings and correspondence between the applicant and the FSA to ensure that the Venison Lairage meets the appropriate standards as the scheme as it stands has conditional FSA approval.
- 5.23 The agent has demonstrated that due to market changes and meeting Waitrose needs through their contract with Dovecote Park, the production of dry aged products has increase every year. The agent states:
- 5.24 *‘the new dry aged chiller is required on site due to the business being in a growth phase for dry aged products to their main customer, Waitrose and need the additional space for product maturation. The extension to the fat processing room is again required due to the business being in a growth phase and to allow by products, in the form of ‘greaves’, to be sold.’*
- 5.25 It is considered that the operational need is a vsc which will assist with meeting the economic market demands and operational needs, not least because it will allow the business to continue to meet the Waitrose contract.

Employment considerations

- 5.26 The agent has stated that:
- 5.27 *‘There are currently 722 existing jobs at the Dovecote Park complex. The proposal will create a total of 40 jobs. The proposed scheme creates 12 jobs in the venison facility and 28 jobs by the dry aged chiller. 12 additional jobs will be created by the venison boning facility compared to the previously approved scheme as the facility is larger than approved which will allow more deer to be processed at any one time.’*
- 5.28 It is apparent that the consequence of a refusal would be that Dovecote Park would be unlikely to secure future contracts and would be unable to fulfil its current contractual obligations of their client, Waitrose. It is therefore reasonable to assume, as , the applicants suggest, that the consequence of not being able to meet the ongoing needs of Waitrose is potentially far greater than merely foregoing additional jobs associated with the retrospective and the new built element of the application, but rather the loss of some or all of the existing jobs. In the planning balance, especially in the current economic climate, the impact of such job loses is of significant weight.

Conclusion on very special circumstances

- 5.29 In order to constitute very special circumstances the weight attributed to these factors should clearly outweigh the harm by reason of inappropriateness and any other harm.
- 5.30 In terms of harm to the Green Belt, and any other harm resulting from the proposal, the NPPF makes it clear that substantial weight should be given to harm by reason of inappropriateness alone. Furthermore significant weight should also be given to the actual harm to the openness and visual amenities of the Green Belt resulting from the location, design and encroachment resulting from the proposal.
- 5.31 In respect to the benefits of the proposal, it is considered that substantial weight should be attached to the applicant's case that there is no real scope for disaggregation, that the expansion of the facility would contribute towards economic market demands and operational requirements and that it would have a positive impact on employment.
- 5.32 Notwithstanding the harm arising from the inappropriateness of the proposal there are very limited effects upon openness and visual amenities or upon the purposes of including land within the Green Belt. It is considered that the applicant has coherently and cogently demonstrated that there are overwhelming benefits arising from the proposal. It is considered that a case for very special circumstances considered cumulatively together has been made. It is therefore concluded that the case put forward for very special circumstances by the applicant outweighs any harm by virtue of inappropriateness and any other harm in terms of openness or the visual amenities of the Green Belt.

6. CONCLUSION

- 6.1 The proposed development constitutes inappropriate development within the Green Belt. However, having had regard to the development plan, all other relevant local and national policy considerations, consultation responses and all other material planning considerations, it is considered that the case for very special circumstances put forward by the applicant has been made.
- 6.2 These very special circumstances outweigh the harm by reason inappropriateness and any harm to the openness and visual amenities of the Green Belt. The proposal is acceptable in all other regards, according with Policies EMP9, ENV1, ENV15 and T1 of Selby District Local Plan and Policies SP1, SP2, SP3, SP13, SP15, SP18 and SP19 of Selby Core Strategy and the NPPF.

7. RECOMMENDATION

- A: That Committee is minded to approve this application;**
- B: Authority be given to refer this application to the Secretary of State under the 2009 Consultation Direction with the indication that the authority is minded to approve it subject to the conditions below;**
- C: i) In the event that the application is not called-in the Planning Development Manager has delegated authority to approve this application in accordance with the conditions set out below and subject to any necessary changes to them subsequent to the Minister's decision, or**

d. In the event that the application is called-in a further report will come to Committee to outline the authority's case in support and the other and financial implications.

Recommended Conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

Existing site Layout P01 Revision C
Proposed site Layout P01 Revision B
Proposed Ground Floor Layout P04 Revision C
Proposed and Existing Elevations P05 Revision D
Site Location Plan 1 Rev –
2017 Consented Layout 02 Revision C
Footprint Extent Comparison Plan 3 Rev 02

Reason: For the Avoidance of Doubt

03. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those stated in the application form received by the Council on 17th April 2018 and on drawing Proposed and Existing Elevations P05 Revision D.

Reason: In the interests of visual amenity and in order to comply with Policy ENV1 of the Selby District Local Plan.

8. Legal Issues

8.1 Planning Acts

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

8.2 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.

8.3 Equality Act 2010

This application has been recommended 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.

9. Financial Issues

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

10. Background Documents

Planning Application file reference 2018/0450/FULM and associated documents.

Contact Officer: Simon Eades, Senior Planning Officer

Appendices: None