

**Officer Update Note  
Planning Committee – 7 August 2019**

**Item 5.1**

APPLICATION NUMBER:	2017/0542/OUTM	PARISH:	Eggborough Parish Council
APPLICANT:	Jas Bowman And Sons Ltd	VALID DATE: EXPIRY DATE:	9th May 2017 8th August 2017
PROPOSAL:	Outline to include access (all other matters reserved) for erection of up to 120 dwellings and associated car parking, garages, landscaping, open space and details of including demolition and removal of all structures, buildings and hard standing to facilitate future development		
LOCATION:	Bowmans Mill Selby Road Whitley Goole East Yorkshire DN14 0LQ		
RECOMMENDATION:	GRANT - SUBJECT TO THE COMPLETION OF A S106 AGREEMENT		

The planning agent has provided a response to comments made by Members at Planning Committee on 10 July.

**CONTAMINATION**

- Phase 2 Site Investigation was submitted to previous Planning Officer with revised Viability Assessment (now assessed as satisfactory subject to conditions) and provides greater details in support of abnormal costs assumptions.

**ECOLOGY**

- North Yorkshire Bat Group confirmed development would not adversely impact on bats.
- Yorkshire Wildlife Trust has stated levels of surveys are satisfactory.
- NYCC Ecology stated satisfied that sufficient information provided for application to be determined. Mitigation and enhancement measures contained within Appraisal to be secured via condition.

**LANDSCAPE**

- Council's Landscape Architect states there are issues with indicative layout advising insufficient landscaping and green infrastructure – these are matters of detail which would be expected at Reserved Matters stage and submitted plans are for illustrative purposes only and to show that site can accommodate up to 120 dwellings.
- Trees to southern end (south east) of site are on land which is unstable with open pockets; underground voids and soil contains brick rubble resulting in poor quality.
- Better quality trees on fringes of woodland area would be retained in addition to the mature trees to the site frontage at northern end and facing Selby Road.

**ARCHAEOLOGY**

- NYCC Archaeologist has confirmed satisfied with a condition to secure recording of all buildings to be demolished and written scheme of investigation for trial trenching on Greenfield area of site which has a low to moderate potential of containing prehistoric

and Roman period remains, in addition to moderate potential for remains of medieval settlement.

## HERITAGE ASSETS/VIABILITY

- Heritage Assessment submitted in accordance with Council's Conservation Officer requirements who wishes to see retention/conversion.
- The Grange assessed as being an unremarkable brick built villa with outbuildings.
- The Mill is a functional building which has been diminished by considerable brick infilling/extensions. None of original fenestration remaining; large sections of roof structure removed or altered and internally there has been considerable alterations to internal layout with only timber framework; iron pillars and flooring surviving.
- Retention of buildings was considered and included in Viability Assessment as prepared by Cushman and Wakefield which confirms that viability is already finely balanced due to significant number of abnormal costs such as stripping out of asbestos and ground contamination remediation.
- Costs associated with refurbishing The Grange would be approximately £1400 per sqm and excluding external works which would be higher than the cost of new build and therefore result the proposals unviable.

## CONCLUSION SUMMARY

- Technical matters raised by member have been satisfactorily addressed and this letter re-affirms our position, adding further weight to points raised in the balanced committee report

## **Section 2 - Consultation and Publicity**

The North Yorkshire County Ecology response has been on file but was unfortunately missed as it was incorrectly labelled when indexed electronically. The NYCC's officer response is as follows:

'Satisfied that sufficient information has been provided in order for this application to be determined. It is recommended that mitigation and enhancement measures contained within the technical reports are secured via condition in order to ensure that the development is in accordance with local and national policy and legislation.'

## **Section 6 - Recommendation**

Amended Condition to replace conditions 22 and 23 and incorporate Ecology comments to read:

22. The development hereby permitted shall be implemented in strict accordance with the mitigation measures as specified in the following reports prepared by Wardell Armstrong:
  - Preliminary Ecological Appraisal submitted on May 2017 (paragraphs 4.1.5, 4.1.6, 4.1.7 and 4.1.16)
  - Breeding Bird Survey Report submitted on July 2017 (paragraphs 5.1.3, 5.1.4 and 6.1.1)
  - Bat Survey Report submitted on July 2017 (paragraphs 4.5.2 through to 4.5.7 inclusive)

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

## Item 5.2

APPLICATION NUMBER:	2018/1387/FUL	PARISH:	Cliffe Parish Council Barlby and Osgodby Parish Council
APPLICANT:	Condor Projects Ltd	VALID DATE: EXPIRY DATE:	11 <sup>th</sup> December 2018 12 <sup>th</sup> July 2019
PROPOSAL:	Proposed Forming of new storage area, forming of new workshop and use of runway for any day of the week		
LOCATION:	Birchwood Lodge Market Weighton Road Barlby Selby North Yorkshire YO8 5LE		
RECOMMENDATION:	APPROVE		

Since the Officers Report was written the following minor amendments have been made to the report for clarity, namely:

- The proposed description has been amended to state '*Proposed forming of new storage area, forming of new workshop and use of runway for any day of the week*'. This removes the '*single storey extension to main workshop building*' part of the proposal.
- Paragraph 4.48 this now references the '*Conservation of Habitats and Species Regulations 2017 (as amended)*' and not the 2010 version.
- Condition 9, has been amended for clarification to '*calendar year*'.
- Furthermore, two condition have been added, as follows:

*12. The operations in connection with the use of the 'Building A' and 'Building B' shall be limited to the hours of 07:30 and 17:00 Monday to Friday and 7.30 to 13.00 on Saturdays and not at all on Sundays or Bank Holidays.*

*Reason: To protect the residential amenity of the area.*

*13. The A weighted fast response maximum sound pressure level LAFmax resultant from the take- off or landing of aircraft measured at a distance of 50m from the centre line of the runway shall not exceed 63.2dB.*

*Reason: To protect the residential amenity of the area.*

In considering all of the above it is not considered that this would alter the assessment of the application.

## Item 5.4

APPLICATION NUMBER:	2019/0109/FULM	PARISH:	Eggborough Parish Council
APPLICANT:	Countryside Properties PLC	VALID DATE: EXPIRY DATE:	6th February 2019 8th May 2019
PROPOSAL:	Proposed erection of 25 no. dwellings, with a vehicular access road adjoining the previously approved application scheme 2017/1131/REMM		
LOCATION:	Land Adjacent Selby Road Eggborough Goole East Yorkshire		
RECOMMENDATION:	GRANT SUBJECT TO COMPLETION OF A S106 AGREEMENT		

### Corrections to report:

- Paragraph 1.12 can be deleted. The application referred to was not validated and was returned.
- Paragraph 5.26 – “...the Conservations and Habitats Regulations 2010” should be replaced with “...the Conservation and Habitats Regulations 2017 (as amended)”.
- Condition 9 should be deleted, as it relates to the main site access, which has been constructed under the reserved matters approval reference 2017/1131/REMM and details of the internal access road are covered under Condition 6.
- Condition 17 should be amended to read:

“No dwelling hereby permitted shall be occupied until a scheme to demonstrate that at least 10% of the energy consumption across the development has been secured from a fabric first approach or through renewable, local carbon or decentralized energy sources. The scheme shall include details and a timetable of how this is to be achieved, including details of physical works on site, which shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter.

#### Reason:

In the interest of sustainability and to minimise the impact of the development in accordance with Policy SP16 of the Core Strategy”.

Since the Officer Report was written, it has come to the attention of Officers that works on site have commenced since the submission of the application. The internal access road has been constructed and a number of properties to the northern part of the site, adjacent to the north eastern boundary have been constructed. To reflect this, a number of conditions need altering should Members be minded to grant approval the application:

- Condition 1 can be removed as development has commenced.
- Condition 6 should be amended to read:

“Within one month of the date of this permission, the following drawings and details shall be submitted to and approved in writing by the Local Planning Authority:

a) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

- the proposed highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway, and verges
- visibility splays
- the proposed buildings and site layout, including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging

b) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- the existing ground level
- the proposed road channel and centre line levels
- full details of surface water drainage proposals

c) Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all
- the types of construction proposed for carriageways, cycleways and footways/footpaths
- when requested cross sections at regular intervals along the proposed roads showing the:
  - existing and proposed ground levels
  - kerb and edging construction details
  - typical drainage construction details.

d) Details of the method and means of surface water disposal.

e) Details of all proposed street lighting.

f) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

g) Full working drawings for any structures which affect or form part of the highway network.

h) A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details.

Reason:

In accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users”.

- Condition 14 should be amended to read:

“The development hereby permitted shall be carried out in accordance with the Construction Method Statement approved under discharge of condition application reference 2018/0490/DOC, pursuant to reserved matters approval reference 2017/1131/REMM.”

Reason: In accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.”

All other parts of the recommendation and the proposed conditions are unchanged.

#### Item 5.5

APPLICATION NUMBER:	2019/0434/ADV	PARISH:	Selby Town Council
APPLICANT:	Selby District Council	VALID DATE: EXPIRY DATE:	7 <sup>th</sup> June 2019 2 <sup>nd</sup> August 2019
PROPOSAL:	Retrospective application for consent for 14 No lamp post banners throughout Selby town centre		
LOCATION:	Street Record Gowthorpe Selby		
RECOMMENDATION:	APPROVE		

Since the Officers Report was written the no further representations have been received following re consultation.

In considering all of the above it is not considered that this would alter the assessment of the application.