



Report Reference Number 2018/1139/FUL

To: Planning Committee
Date: 6 November 2019
Author: Rachel Smith (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2018/1139/FUL	PARISH:	Thorganby Parish Council
APPLICANT:	Mr Chris Garland	VALID DATE: EXPIRY DATE:	10th October 2018 5th December 2018
PROPOSAL:	Proposed construction of 1 No. dwelling on land to the rear of		
LOCATION:	Jubilee Cottage 13 Main Street Thorganby York North Yorkshire YO19 6DB		
RECOMMENDATION:	REFUSE		

1. INTRODUCTION AND BACKGROUND

- 1.1 This application has been brought before Planning Committee following consideration at the 9th October 2019 where Members made a minded to decision to refuse the application subject to the application being deferred for detailed reasons for refusal to be considered.
- 1.2 The previous Officer report is included in Appendix 1.

2. RECOMMENDATION

- 2.1 The Officer's recommendation is that the application is refused for the following reasons:
- 01 The site lies within the development limits of a secondary village which is a less sustainable location. The proposed development would result in backland development to the rear of other properties, and would not constitute the 'filling of a small linear gap in an otherwise built up frontage', or any of the other categories of

development identified as acceptable in Secondary Villages in Policy SP4(a). The development is therefore contrary to Policy SP4 (a) and consequently Policy SP2A(b), of the Core Strategy.

02 The development is out of keeping with the character of the village by increasing the depth of built form. Furthermore, having regard to the Duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is not considered that the development will preserve or enhance the character or appearance of Thorganby Conservation Area. This is by virtue of the relationship of the dwelling with surrounding properties that is out of keeping with the urban grain of the area. It is not considered that the public benefits associated with the erection of the dwelling would outweigh the harm identified. As such the development is contrary to Policies SP19 of the Core Strategy, and Policy ENV25 of the Selby District Local Plan and section 16 of the NPPF.

03 The poor juxtaposition between the proposed dwelling and Jubilee Cottage would result in harm to the amenities of future and existing occupiers. As such the development is contrary to Policy ENV1 of the Selby District Local Plan and Section 12 of the NPPF.

4 Legal Issues

4.1 Planning Acts

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

4.2 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.

4.3 Equality Act 2010

This application has been determined 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.

5 Financial Issues

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

6 Background Documents

Planning Application file reference 2018/1139/FUL and associated documents.

Contact Officer:

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Appendices: Appendix 1 – Previous Officer Report (considered at Committee on 9 October 2019)