



Report Reference Number: 2019/0995/FULM

To: Planning Committee
Date: 5th February 2020
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2019/0995/FULM	PARISH:	Stapleton Parish Council
APPLICANT:	Dovecote Park Ltd	VALID DATE: EXPIRY DATE:	3rd October 2019 2nd January 2020
PROPOSAL:	Erection of a new beef protein building (7.5 x 18.1m), extension to the existing fat processing plant (3.5m x 5m) and erection gas tank (10.6m x 3.1m) - (Retrospective).		
LOCATION:	Dovecote Park Bankwood Road Stapleton Pontefract West Yorkshire WF8 3DD		
RECOMMENDATION:	GRANT		

This application has been brought before Planning Committee because it constitutes inappropriate development within the Green Belt but it is considered there are very special circumstances which would justify approval of the application.

1. INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 Dovecote Park lies to the north of Bank Wood Road in open countryside and consists of a modern industrial sized specialist beef and venison production facility. The facility originated from the farm/abattoir at Beech House Farm and has grown considerably in recent years. The 5.4 hectare site and employs a large workforce and consists of large modern industrial steel-clad buildings set in a screened rural landscape.
- 1.2 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.

- 1.3 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

- 1.4 The application seeks consent for 2 new buildings and a gas tank, which have already been constructed and are therefore considered retrospective. The buildings and plant lie in the north western corner of the site and wholly within the existing curtilage of the site.
- 1.5 Beef Protein Building – This is known as the Greaves building and is free standing with a floor area of 18.1m x 7.5m and is 'lean to' style form with a ridge height of 4.7m and eaves of 3.7. The building is timber clad on the external wall and has a metal profile sheeted roof. The building has an external roller shutter on the east elevation and a conventional door.
- 1.6 Fat Processing plant – This is small addition to the existing fat processing plant to provide a covered area for a small tipper vehicle to be housed within the building to meet the food standards agency requirements. The lean to style building has a floor area of 5m x 3.5m and eaves height of 3.8m and ridge of 4.5m being a continuation of the roof of the adjoining building. Again this is timber clad with a profile sheeted roof.
- 1.7 Gas Tank – This is a typical cylindrical metal finished tank used for the storage of CO₂ (Nitrogen). It stands 10.6m tall and has a diameter of 3.1m. It is located on a concrete pad to the rear (west) of the Greaves building.
- 1.8 The buildings/plant sought for retention lie to the north east of the facility and sit within the curtilage of the existing premises. Cumulatively the total floor space is 154.71 sq m (plus tank at 9.7m sq).

Relevant Planning History

- 1.9 The current owners have been operating since November 1997 and have made considerable investment through various planning permissions over recent years. Some applications have had to be referred to the Secretary of State due to their size following the Local Planning Authority consistently regarding very special circumstances being demonstrated. The most significant and recent being;
 - 2018/1111/FULM - Proposed construction of an extension to the existing facility to provide a new burger production building- approved 14 March 2019.
 - 2018/0450/FULM - The proposed erection of a new dry aged chiller and extension to the fat processing room and retrospective extensions to the venison lairage facility – Granted 15 February 2019.

- 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 – Granted 22 May 2017.
- 2010/1301/FUL - Application for extensions to the existing Dovecote Park complex, including a new car park and car park access – Granted 11.4.2011.

1.10 The remaining history dating all the way back to 1975 refers to various new buildings, alterations, extensions to buildings, plant infrastructure, advertisements, welfare facilities and car parking all of which is a result of the sites continued growth and expansion.

2. 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 **NYCC Highways Canal Rd** – No objections following confirmation that only 1 extra vehicle movement a week will access and egress from the site, this is not likely to have an impact on the highway network and therefore no objections are raised to the proposed development.
- 2.3 **Parish Council** – No response, however request details of the travel plan attached to 2010/1301/FULM.
- 2.4 **Pland Use Planning Yorkshire Water Services Ltd** – No response received.
- 2.5 **Danvm Drainage Commissioners Shire Group Of IDBs** – No response received.
- 2.6 **Environmental Health** – No objections.
- 2.7 **SuDS And Development Control Officer** – No objections.
- 2.8 **HSE** – No objections.

3 SITE CONSTRAINTS

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.

4 POLICY CONSIDERATIONS

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.

- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options would take place early in 2020. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.
- 4.4 The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.
- 4.5 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).”

Selby District Core Strategy Local Plan

4.6 **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

4.7 **The relevant Selby District Local Plan Policies are:**

ENV1 - Control of Development
ENV 2 – Contaminated Land
ENV15 - Locally Important Landscape Areas
EMP 9 - Expansion of Existing Employment Uses
T1 - Development in Relation to Highway

5 APPRAISAL

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

- Principle of Development

- Green Belt considerations
- 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
- The case for very special circumstances

Principal

- 5.2 The site lies beyond any settlement limit and within the designated Green Belt. The Selby and District Core Strategy in Policy SP1 promotes a presumption in favour of sustainable development which accords with the NPPF and is a material consideration. Policy SP2 entitled 'Spatial Development Strategy' establishes the locational principles for guiding development within Selby District, with the focus on Selby as the Principal Town, Sherburn in Elmet and Tadcaster as Local Service Centres, and identified Designated Service Villages. As the application site is positioned outside these locations Policy SP2(c) is of relevance which states:

"Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances."

- 5.3 Policy SP3 guides the development principles for proposals within the Green Belt in line with Paragraph 133 of the NPPF which states 'the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Core Strategy Policy SP3(B) states:

"In accordance with the NPPF, within the defined Green Belt, planning permission will not be granted for inappropriate development unless the applicant has demonstrated that very special circumstances exist to justify why permission should be granted."

- 5.4 Policy SP13 'Scale and Distribution of Economic Growth' supports continued economic diversification within the extensive rural areas of the District as well as focusing on the economy of town and village centres. Policy SP13(C) Rural Economy supports sustainable development in rural areas which brings sustainable economic growth through local employment opportunities or expansion of businesses and enterprise. Specific examples include C.2 "The redevelopment of existing and former employment sites and commercial premises".

- 5.5 Policy SP13 (D) further states that “In all cases, development should be sustainable and be appropriate in scale and type to its location, not harm the character of the area, and seek a good standard of amenity.”
- 5.6 Likewise the Selby and District Local Plan has an overarching employment growth policy i.e. Policy EMP9 ‘Expansion of Existing Employment Uses in Rural Area’. This policy states “Proposals for the expansion and/or redevelopment of existing industrial and business uses outside development limits and established employment areas, as defined on the proposals map, will be permitted provided:
- 1) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;
 - 2) The nature and scale of the proposal would not have a significant adverse effect on the character and appearance of the area, or harm acknowledged nature conservation interests;
 - 3) The proposal would achieve a high standard of design, materials and landscaping which complements existing buildings; and
 - 4) Proposals involving expansion onto adjoining land would not result in the loss of best and most versatile agricultural land and the site would be well related to existing development and well screened and/or landscaped.”
- 5.7 The above policies are overarching considerations which allow for the continued growth of rural enterprises; however the key consideration is the assessment of national Green Belt policy. 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.
- 5.8 NPPF Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states when considering planning applications, Local Planning Authorities should ensure substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.9 Paragraphs 145 and 146 of the NPPF states the construction of new buildings as in appropriate development in the Green Belt. The exceptions to this are;

c) 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.

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green belt than the existing development.

5.10 This proposal is for the extension to an existing building (fat processing plant) which was previously permitted as a new building and the construction of a further new building (Greaves Building) and associated infrastructure i.e. the gas tank. Therefore whilst the proposal includes extensions and new buildings it is all regarded as cumulative addition to the site within the Green Belt.

5.11 In terms of Paragraph 145 criteria c) of the NPPF, the term 'disproportionate' is not defined in the NPPF. 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.

5.12 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.

5.13 A number of extensions to the Dovecote Park Complex have been approved in recent years including a particularly large extension had been approved under application reference 2010/1301/FUL. This has been followed by a series of other smaller new buildings and structures and detailed in the history. The Local Planning Authorities approach has always been that cumulatively these extensions and new buildings would result in disproportionate additions over and above that of the original farm complex, whether new build or extensions, as many of the extensions are extensions to new buildings.

5.14 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).

5.15 The planning statement in support of the proposal takes a different approach to this and regards the proposal being within the exceptions to Green Belt policy i.e. paragraph 145 of the NPPF (g) 'limited infilling or the partial redevelopment of previously developed land, whether redundant or in continuing use; which would not

not have a greater impact on the openness of the Green Belt than the existing development': or

where the development would re-use previously developed land and contribute to meeting an identified local affordable housing need, not cause substantial harm to the openness of the Green Belt."

5.16 The supporting statement states "the proposed development clearly comprises of both infill development, in the form of the extension to the existing fat melting plant,

and partial redevelopment of the site in the form of the new beef protein building. However, notwithstanding its slightly greater floor space and volume in absolute terms and relative to the extent of the existing development on site, it does not have greater impact on the openness of the Green Belt than the existing built development within the site given its limited spatial extent, or in terms of visual extent given its position on the site in such close proximity to the site's landscaped boundary, the physical and visual relationship with the existing built development itself, and the visual inconspicuousness of the site in the immediate and wider landscape owing to the sites topography, the scale of the buildings and existing and well established landscaping.”

- 5.17 Notwithstanding the above, the Local Planning Authority disagrees with this approach and has consistently regarded the extensions to this facility to be inappropriate development. This is because the extent of the extensions and new buildings previously allowed, go beyond what would be regarded as limited infill or proportionate extensions and have been previously been justified on the basis of very special circumstances. New extensions to these new buildings or any new buildings cannot therefore accord with paragraph 145 of the NPPF. Therefore the applicant's supporting statement has also listed a series of very special circumstances to rely on, which will be discussed later in the report.

Assessment of Harm from the Proposed Development

- 5.18 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 in considering the impacts of the proposal.

Impact on the Character and Form of the area

- 5.19 Whilst 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. The new beef protein unit is free standing, however comfortably sits within the curtilage of the existing operations and provides no encroachment into the Green Belt beyond the existing site boundaries. The extension to the fat melting plant is an extension of an existing building by simply carrying the roof downwards to form a 'lean to'. This is set to the south of the existing building and towards the nucleus of the main buildings on the site. The new gas tank is similar in height and form to a series of other buildings on the site and represents no wider visual concerns.
- 5.20 Both the buildings and plant are positioned for functionality purposes and are the same character and form of existing buildings on the site and finished in matching materials. The buildings and plant would not appear isolated additions and relate well to the current large mass of buildings on the site so as not being noticeable. Due to their location within the site and relationship with existing buildings, the additions would not contribute to unrestricted sprawl. The context of the additions 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 at paragraph 133.
- 5.21 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

- 5.22 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. 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

- 5.23 The addition of buildings and plant has the ability to increase the capacity of the site and could impact on traffic movements. This was considered by the Highway Authority who sought clarity from the applicant over the whether any additional vehicle movements would be necessary as a result of the development. The agent confirmed that vehicle movement relating to the beef fat processing will be neutral as the greaves (bio product) was previously removed from the site in a lorry as waste, whereas now it will leave the site on a lorry as a packed product. There will, however, be one additional lorry movement to site every week to deliver liquid nitrogen. This satisfied the highway officer who concluded 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.

Flood Risk

- 5.24 The application site is located in Flood Zone 1 (low probability of flooding). As such a sequential flood risk test is not required. The application details that existing foul sewer will accommodate foul flows and the surface water generated by the proposal will be discharged into the existing soakaway on site. The proposed increase in floorspace of 155.7 sq m will have a negligible impact on the surface water generated on site, since the area where the proposed building and extensions are to be located already comprise of an impermeable surface. On this basis no further details are required and the proposed scheme therefore accords with Policies SP15 and SP19 of the Core Strategy.

Contamination

- 5.25 The site is operational and is undertaken within large industrial buildings and converted offices. The new proposed additional building and extension would be located on hard standing land that is considered previously developed land. This being as defined in Annex 2 of the NPPF which described Previously Developed Land as land which was occupied by a permanent structure and any associated fixed surface infrastructure. 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.
- 5.26 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.

Case for Very Special Circumstances

- 5.27 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.
- 5.28 In terms of the above it has already been established some harm is created by reason of inappropriateness, however no harm is considered in terms of openness or any other harm i.e. visual impact in this case. 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.
- 5.29 The applicants have submitted a case for very special circumstances (VCS) 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. The statement concludes no harm to openness and no harm to the purposes of including land within the Green Belt. The consideration of any other harm is as follows:
- the need for the facility in both commercial and economic terms;
 - operational considerations;
 - a lack of alternative viable sites, and the Scope for Disaggregation;
 - employment Impact;
 - other benefits associated with the development.
- 5.30 Each VSC will be discussed in turn.

The Need for the Development and Operational Considerations

- 5.31 The agent states *“This development will allow Dovecote Park to continue to expand and prosper. The facilities at Dovecote Park, by their very nature, create a large amount of beef fat which this development will allow to be processed for economic benefit. The retrospective extension to the existing fat processing plant is required to allow the beef fat to be processed so that it meets the Food Standards Agency’s requirements. This is an existing part of the business and as such it is considered that this proposal should be supported as it will allow this part of the business to continue to operate in order to sell a by-product.”*
- 5.32 *“The development of the beef protein building will allow the beef protein, which would otherwise be wasted, to be processed so that it can be used in a manner that benefits the business. This not only reduces the amount of waste generated on site but it also provides a business opportunity to diversify the business. Interest has been expressed in purchasing the beef protein and Dovecote Park have already held meetings with potential clients. As the beef fat is created on site it is not considered to be either efficient or viable to move the produce off site to process it. This is particularly relevant with regards to the extension to the fat melting plant as the building and the processing equipment are already in place. The new beef protein building is intradiscally linked to the fat melting plant therefore it would seem*

most logical and efficient to locate this new facility immediately adjacent to the existing fat melting plant as it Dovecote Park have considered how much additional produce would be made as a result of processing the fat to capture the beef protein. The proposed development represents the minimum quantum and scale of development that would be required to allow the processing to be viable.”

Lack of Alternative Viable Sites and the Scope for Disaggregation

- 5.33 In support of the above the agent states; *“The consideration of alternative sites has previously been a major consideration for the applicant in resolving the objective of meeting the identified need. The possibility of processing the beef protein and additional fat at an alternate site has been explored by our client. However, the purchase or leasing of another processing site and the additional resources that would be required in terms of the equipment, production staff, quality assurance staff, administration staff and engineers could not be justified for the quantity of beef protein and fat to be processed.”*
- 5.34 *“The setting up of a standalone site would require unrealistic returns on investment since many site functions would need to be duplicated at an alternative location. In addition, there are extra costs for setting up potential sewerage systems, power, boilers, compressed air and other services.”*
- 5.35 *“Purchase of a new site or leasing would add a prohibitive additional cost compared to the current site that is owned by Dovecote Park. When all these additional costs are analysed, the project is not economically viable. The purpose of the proposal is to provide a new facility which is interlinked to the existing facilities on site and will provide a high quality product. This will help the business adapt to the market demands which could not be achieved by splitting the operations across multiple sites.”*

Employment Considerations

- 5.36 The agent also states the revised NPPF provides that planning decisions should help to create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In addition, it also provides that decisions should enable the sustainable growth of all types of business in rural areas. The protection of existing jobs from potential market down turns as well the creation of an additional job and the benefits that bring to the local economy should carry significant weight in the balance of considerations.

Other Benefits

- 5.37 The submission also claims the isolated location currently occupied by the Dovecote Park complex offers considerable benefits in terms of the potential impacts on amenity or neighbouring commercial interests. This however is not regarded as a very special circumstance, nor is the fact that the proposal has very limited harm on openness.
- 5.38 Finally the application claims the development cannot be located in a more appropriate non-Green Belt location due to it being inter-related to the existing use of the site, and the lack of any other producers which can meet the need for the

development, and the costs of setting a dedicated site to meet that need elsewhere are prohibitive.

- 5.39 Officers concur with the above and that the proposal will assist with supporting the existing significant employment levels on site and help to improve the resilience of the existing business to market trends in a proportionate and sensitive way, thus bringing significant economic benefits to the area.

Conclusion on very special circumstances

- 5.40 In respect to the above justification, it is clear that this there is a clear need for these new buildings, infrastructure and extensions in order that the site continues to run effectively. It would be inefficient and unreasonable to expect these activities undertaken in these buildings and plant to be located off site. This weighs heavily in support of the proposals and is regarded as a very special circumstance. Some of the benefits listed by the applicants are not considered very special circumstances, like for instance local employment creation, however the proposals will make the site more effective and firm up its economic resilience, which will maintain the companies' ability to have a positive impact on local employment.

6 CONCLUSION

- 6.1 The proposed development by virtue of the successive extensions and additional buildings over time constitutes inappropriate development within the Green Belt. This is therefore by definition harmful to the Green Belt and as such development should not be approved except in very special circumstances.
- 6.2 The applicant has submitted a case for very special circumstances based on the essential need for the facility and lack of alternative arrangements circumstance which is accepted by officers and given substantial weight. The proposals have very limited effects upon openness and any other harm i.e. visual amenities or upon the purposes of including land within the Green Belt. It is therefore concluded that the case put forward for very special circumstances by the applicant clearly outweighs any harm by virtue of inappropriateness and any other harm in terms of the impact on openness or the visual amenities of the Green Belt in accordance with Paragraph 144 of the NPPF. Having had regard to the development plan, all other relevant local and national policy considerations, consultation responses and all other material planning considerations 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.
- 6.3 The application will also not be required to be referred to the Secretary of State as the floor area of the buildings created is less than 1000 sq m.

7 RECOMMENDATION

This application is recommended to be granted subject to the following 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:

Site Location Plan 1 - OXF10242 Mar 17.
Plan as existing - Drawing No. P04 Rev A
Elevations as existing - Drawing No. P06
Site Plan as proposed - Drawing No. P02 Rev A
Elevations as Proposed - Drawing P03 Rev A
Plan as proposed –Drawing No. P05 Rev A

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 be those currently used and those stated in the submitted plan 'Elevations as proposed' Drawing P03 Rev A i.e. profile sheeting roof and timber clad walls.

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 determined 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 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.

9 Financial Issues

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

10 Background Documents

Planning Application file reference 2019/0995/FULM and associated documents.

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Appendices: None