



Report Reference Number: 2019/1269/FUL

To: CEO Urgent Decision Session – Planning
Date: 20 May 2020
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Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2019/1269/FUL	PARISH:	Heck Parish Council
APPLICANT:	Mr S Fitzsimmons	VALID DATE: EXPIRY DATE:	5th December 2019 30th January 2020
PROPOSAL:	Conversion of existing workshop to create a dwelling		
LOCATION:	The Stables Main Street Great Heck Goole East Yorkshire DN14 0BQ		
RECOMMENDATION:	GRANT planning permission subject to the recommended conditions		

This application has been brought before the CEO Urgency Decision Session as the proposal is contrary to the requirements of the development plan (namely Criterion 1 of Policy H12 of the Selby District Local Plan) but it is considered there are material considerations which would justify approval of the application.

1 INTRODUCTION AND BACKGROUND

Site and Context

- 1.1 The site consists of paddocks, hard surfacing which is currently shared with stables to the south east and a workshop building. The current use of the workshop is non-commercial and is used for purposes incidental to the residential enjoyment of the owner who lives adjacent the site. The site is accessed off the surfaced section of Booty Lane which in turn leads to Main Street.

- 1.2 The site is on the edge of a predominantly residential area with residential dwellings and their curtilage to the north, east and west. Fields extend to the south for use as paddock being neither in agricultural use nor domestic curtilage.

The Proposal

- 1.3 Planning permission is sought to convert the existing workshop into one no. 2 bedroom dwelling. The site will be accessed from the same location as existing and will lead to an area of hardstanding for manoeuvring, turning and parking for 3 no. vehicles. Private amenity space consisting of a large lawn and patio will be provided for future residents. New hedges will be planted on the northern boundary adjacent the site access and along the southern boundary adjacent the proposed lawn.

Relevant Planning History

- 1.4 The following historical application is considered to be relevant to the determination of this application.

Ref. 2018/1189/FUL

Description: Proposed erection of a detached bungalow

Address: Land to Rear of The Stables, Main Street, Great Heck, Goole, East Yorkshire

Decision: Refuse 14 May 2019

Appeal: APP/N2739/W/19/3230633
Dismissed 28 September 2019

2 CONSULTATION AND PUBLICITY

Local Highway Authority

- 2.1 The Local Highway Authority have no objections to the proposals. Conditions are recommended as follows: (1) vehicle access, parking, manoeuvring and turning areas shall be capable of use prior to occupation, and; (2) no outbuildings shall be permitted to convert to residential accommodation.

Contaminated Land Officer

- 2.2 The contaminated land officer considers further investigation is necessary and recommends a site investigation is to be undertaken prior to commencement and considers this can be undertaken via condition. Further conditions relating to a remediation scheme, verification of remedial works, and reporting of unexpected contamination

Yorkshire Water

- 2.3 Yorkshire Water recommend conditions are included on any permission requiring: (1) separate drainage for foul and surface water, and (2) details of any piling design if different from those existing. Yorkshire Water note that as the proposed surface water drainage is via soakaway no assessment of sewer capacity has been undertaken.

North Yorkshire County Council Ecology

- 2.4 On balance, the design of the building is unlikely to support roosting bats and a bat roosting potential survey is not required.
- 2.5 The proposal does not impinge on any riparian habitat and there are no other concerns with the proposals.

North Yorkshire Bat Group

- 2.6 No consultation response was received following consultation.

Parish Council

- 2.7 No consultation response was received following consultation.

Internal Drainage Board

- 2.8 No consultation response was received following consultation.

Publicity

- 2.9 The application was advertised via site notice, neighbour letters and a Press notice, following which no responses were received.

3 SITE CONSTRAINTS

- 3.1 The site is located partly within the settlement limits of Great Heck, a Secondary Village as designated within the Selby District Local Plan, albeit the majority of the site lies within the open countryside including the workshop subject to these proposals.
- 3.2 There are no environmental designations on the site, albeit the site is within 200m of the Aire & Calder Navigation canal. The disused railway to the south, beyond the canal is designated as a Site of Importance for Nature Conservation (SINC) i.e. a wildlife-rich site designated for its local nature conservation value.
- 3.3 There are no heritage assets on or near the site.
- 3.4 The site is within Flood Zone 1, the area of lowest flood risk.

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 National Planning Policy Framework (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 concluded 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 In February 2019 a revised 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 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 (CS)

- 4.6 The relevant CS Policies are:

SP1 Presumption in Favour of Sustainable Development
SP2 Spatial Development Strategy
SP9 Affordable Housing
SP18 Protecting and Enhancing the Environment
SP19 Design Quality

Selby District Local Plan (SDLP)

- 4.7 The relevant SDLP Policies are:

T1 Development in Relation to the Highway network
T2 Access to Roads
ENV1 Control of Development
ENV2 Environmental Pollution and Contaminated Land
H12 Conversion to residential use in the Countryside

5 APPRAISAL

- 5.1 The main issues to be taken into account when assessing this application are:
1. Principle of Development
 2. Conservation & Historic Environment
 3. Suitability for re-use
 4. Extent of Alterations
 5. Landscape & Character
 6. Environmental Health
 7. Access & Highway Safety

- 8. Residential Amenity
- 9. Ground Conditions
- 10. Affordable Housing
- 11. Impact on Nature Conservation
- 12. Flood Risk & Drainage

Principle of Development

Context

- 5.2 CS Policy SP1 states that *"when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework"* and sets out how this will be undertaken. CS Policy SP1 is therefore consistent with national policy set out in the NPPF.
- 5.3 The majority of the site sits outside of the development boundaries of Great Heck with a limited area providing access falling within the adopted Development Limits. In such circumstances, the principle of residential development should be assessed on the basis the site is outside of settlement boundaries and is therefore within the open countryside.
- 5.4 CS Policy SP2 controls the location of future development within the District and directs the majority of new development to existing settlements. CS Policy SP2A(c) relates to the open countryside and limits development to:
- "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."*
- 5.5 SDLP Policy H12 controls proposals for the conversion of rural buildings to residential use in the countryside (outside defined Development Limits) and stipulates the criteria in which conversions will be permitted, where relevant – which in this instance is criteria 1 to 7 and these are considered in greater detail below. H12(8) relates to part-residential/part-business and is not applicable.
- 5.6 Criterion (1) of Policy H12 allows proposals for the conversion of rural buildings to residential uses provided:
- "It can be demonstrated that the building, or its location, is unsuited to business use or that there is no demand for buildings for those purposes in the immediate locality"*.
- 5.7 Paragraph 79 of the NPPF sets out the policy for considering homes in the countryside and the circumstances in which this is permissible. Criterion (c) states:
- "...the development would re-use redundant or disused buildings and enhance its immediate setting."*

Assessment

- 5.8 This proposal would result in the re-use of an existing building in the countryside and would therefore comply with Policy SP2A (c) of the Core Strategy and the NPPF.
- 5.9 However, unlike CS Policy SP2(c) and the NPPF, SDLP Policy H12 allows proposals for the conversion of rural buildings to residential uses provided “it can be demonstrated that the building, or its location, is unsuited to business use or that there is no demand for buildings for those purposes in the immediate locality”. The proposal does not meet this criterion and is therefore contrary to the requirements of the development plan in this regard.
- 5.10 However, NPPF Paragraph 79(c) does not require the more onerous tests for commercial or employment uses within converted buildings set out in SDLP H12(1) and CS Policy SP2A(c).
- 5.11 Officers consider that the approach set out within SDLP Policy H12 is more onerous than, and conflicts with, NPPF Paragraph 79 and CS Policy SP2 and therefore limited weight is applied to criterion (1) of SDLP Policy H12. However, it is clear that the conversion of buildings within the countryside (outside settlement limits) is acceptable in principle and therefore the proposal is acceptable.

Conservation & Historic Environment

Context

- 5.12 There are no statutory listed features of architectural or historical significance on or in proximity to the site. However,
- 5.13 SDLP Policy H12(2) allows the conversion of rural buildings to residential use in the countryside where:

“The proposal would provide the best reasonable means of conserving a building of architectural or historic interest and would not damage the fabric and character of the building”

Assessment

- 5.14 The building is of relatively modern construction and of no particular historic significance or architectural merit. Officers consider that the proposals are acceptable from a conservation and historic perspective and comply with H12(2).

Suitability for re-use

Context

- 5.15 SDLP Policy H12(3) allows the conversion of rural buildings to residential use in the countryside where:

“The building is structurally sound and capable of re-use without substantial rebuilding”

Assessment

- 5.16 The application is supported by a building survey that demonstrates that, on the whole, the workshop is capable of being converted without substantial rebuilding works. Officers are satisfied with these findings and consider the proposals comply with SDLP Policy H12(3).

Extent of Alterations

Context

- 5.17 SDLP Policy H12(4) allows the conversion of rural buildings to residential use in the countryside where:

“The proposed re-use or adaptation will generally take place within the fabric of the building and not require extensive alteration, rebuilding and/or extension;”

Assessment

- 5.18 The proposed conversion of the workshop is contained entirely within the dimensions of the existing workshop, the main interventions are the introduction of windows and doors to make the building habitable and subdivision of the workshop into separate habitable rooms. Therefore, these proposals are in line with SDLP Policy H12(4) and are satisfactory in this regard.

Landscape & Character

Context

- 5.19 SDLP Policy H12(5) allows the conversion of rural buildings to residential use in the countryside where:

“The conversion of the building and ancillary works, such as the creation of a residential curtilage and the provision of satisfactory access and parking arrangements, would not have a significant adverse effect on the character or appearance of the area or the surrounding countryside”

- 5.20 CS Policy SP18 seeks to safeguard and, where possible, enhance the historic and natural environment. CS Policy SP19 expects development to achieve high quality design and have regard to the local character, identity and context of its surroundings including the open countryside.

Assessment

- 5.21 Great Heck is predominantly a residential village, residential properties and their domestic curtilages border the site to the north, south and east. To the south are paddocks.
- 5.22 Within the decision for appeal ref. APP/N2739/W/19/3230633, the Inspector found that the creation of a new bungalow and curtilage extending southwards – the same extent as is proposed now, would not have a detrimental impact on the character and appearance of the local area.

- 5.23 Officers consider that the proposed curtilage could have a detrimental impact upon the character of the countryside in this location and a more modest amenity area would have been preferable. However, in the context of the Inspector's decision, officers consider that the proposals are acceptable given the character of Great Heck and the countryside beyond and comply with SDLP Policies H12(5) and CS Policies SP18 & 19.

Environmental Health

Context

- 5.24 SDLP Policy H12(6) allows the conversion of rural buildings to residential use in the countryside where:

"The building is not in close proximity to intensive livestock units or industrial uses which would be likely to result in a poor level of amenity for occupiers of the dwelling"

Assessment

- 5.25 The proposed residential dwelling will neither be in proximity to intensive livestock units nor industrial uses. The dwelling would be in proximity to stables however officers consider the relationship between the stables and the proposed dwellings would not result in a poor level of amenity and officers consider the proposals would comply with SDLP Policy H12(6).

Access & Highway Safety

Context

- 5.26 SDLP Policy H12(7) allows the conversion of rural buildings to residential use in the countryside where:

"The proposal would not create conditions prejudicial to highway safety..."

- 5.27 SDLP Policy T1 stipulates development will only be permitted where existing roads have adequate capacity and can safely serve the development, unless appropriate off-site highway improvements are undertaken by the developer.

- 5.28 SDLP Policy T2 only allows for a new access or the intensification of the use of an existing access will be permitted provided where (1) there would be no detriment to highway safety; and 2) the access can be created in a location and to a standard acceptable to the highway authority.

- 5.29 Paragraph 109 of the NPPF states that planning applications should only be refused where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Assessment

- 5.30 The proposals have been considered by the Local Highway Authority who have found the proposals to be acceptable from a highway safety perspective – subject to the inclusion of conditions. Officers consider the proposed condition prohibiting conversion of garages is unnecessary given three parking spaces will be secured

by way of condition and this is commensurate to the scale of the proposed dwelling. Subject to the inclusion of the proposed condition securing these three spaces the proposals are acceptable from a highway safety perspective and comply with SDLP Policies T1 & T2 and NPPF Paragraph 109.

Residential Amenity

Context

- 5.31 SDLP Policy H12(7) allows the conversion of rural buildings to residential use in the countryside where:

“The proposal would not create conditions... which would have a significant adverse effect on local amenity...”

- 5.32 SDLP Policy ENV1 provides eight broad aspirations that are taken into account when achieving “good quality development”. ENV1(1) requires “the effect upon the character of the area or the amenity of adjoining occupiers” to be taken into consideration.

Assessment

- 5.33 The workshop is c.18.5m away from the nearest dwelling (to the north). Between the two properties exist high fencing and outbuildings and this further minimises any views between the two properties. Furthermore, minimal glazing is introduced on the northern elevation and even then this is to secondary rooms only. Officers therefore consider there no overlooking will result from these proposals.
- 5.34 In regard to overshadowing, it is worth noting that there are no external alterations that add height or mass to the existing workshop and there would therefore be no material change in overshadowing. That being said it is prudent to consider the appropriateness of this existing arrangement: the building is broadly orientated east-west and given its relatively low height and separation from neighbouring properties does not generate a materially detrimental overshadowing and is considered acceptable.
- 5.35 Given that no material changes to the scale and massing of the proposals they will not generate an increase in any overbearing presence. The scale of the building is considered to be of a modest scale and appropriate within a residential backland setting and, furthermore, given the modest treatments to the residential-facing elevations would not feel overbearing.
- 5.36 In terms of amenity for future residents, officers consider the private amenity space proposed is proportionate to the size and type of dwellings and is considered to be acceptable.
- 5.37 Therefore, officers consider the proposals to provide a suitable relationship with existing dwellings and will allow for suitable amenity for future residents and as such the proposals comply with SDLP Policies H12 and ENV1.

Ground Conditions

Context

- 5.38 SDLP Policy ENV2A states development that would be affected by unacceptable levels of noise, nuisance, contamination or other environmental pollution will be refused unless satisfactorily remediated or prevented. CS Policy SP19(k) seeks to prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water, light or noise pollution or land instability.
- 5.39 NPPF Paragraph 178 requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination, be remediated (where appropriate) to an appropriate standard, and be subject to site investigation undertaken by competent persons.

Assessment

- 5.40 In reviewing the Screening Assessment Form, the Contamination Officer believes it is necessary for further investigations. As such, the officer recommends the following conditions: (1) Phase I survey; (2) submission of remediation scheme; (3) verification of remediation works, and; (4) reporting of unexpected contamination. Officers consider that subject to inclusion of these recommendations development of the site is appropriate in relation to ground conditions and complies with CS Policy SP18 and NPPF Paragraph 178.

Affordable Housing

Context

- 5.41 Core Strategy Policy SP9 and the accompanying Affordable Housing Supplementary Planning Document (SPD) sets out the affordable housing policy context for the District. Policy SP9 outlines that for schemes of less than 10 units or less than 0.3ha a fixed sum will be sought to provide affordable housing within the District.
- 5.42 However, the NPPF is a material consideration in planning decisions (as set out in paragraph 2 of the NPPF) and states at paragraph 63:

“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”.

- 5.43 For housing, ‘major development’ is defined within the NPPF Glossary as being development of 10 or more homes, or where the site has an area of 0.5 hectares or more.

Assessment

- 5.44 The application proposes the creation of one dwelling on a site which has an area of less than 0.5 hectares, and as such the proposal is not considered to be major

development. Having had regard to Policy SP9 of the Core Strategy and material considerations including the Affordable Housing SPD and the NPPF, on balance, the application is acceptable without a contribution for affordable housing.

Impact on Nature Conservation

Context

- 5.45 Relevant policies in respect of nature conservation and protected species include CS Policy SP18 of the Core Strategy. CS Policy SP18 seeks to safeguard and, where possible, enhancing the natural environment. This is achieved through effective stewardship by (inter-alia) safeguarding protected sites from inappropriate development, and, ensuring development seeks to produce a net gain in biodiversity.
- 5.46 NPPF Paragraph 170(d) seeks for planning decisions to contribute to and enhance the natural environment by minimising impacts and providing net gains for biodiversity.

Assessment

- 5.47 The supporting information accompanying the application suggests the building would preclude roosting bats. North Yorkshire County Council Ecology Officers have considered and agree with this and have no wider concerns from a nature conservation perspective. As such the proposals are acceptable and comply with CS Policy SP18 and NPPF Paragraph 170(d).

Flood Risk and Drainage

Context

- 5.48 The site sits within Flood Zone 1, the area at lowest risk of flood risk. CS Policy SP15A(d) seeks to ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test (if necessary). This policy is in line with NPPF Paragraph 155 which seeks to direct development away from areas at highest risk.

Assessment

- 5.49 The site is within Flood Zone 1 and has a site area of less than 1ha, as such no flood risk assessment has been provided or is necessary. The proposals are located within the area of lowest risk and therefore comply with CS Policy SP15 and NPPF Paragraph 155.
- 5.50 The Planning Statement refers to an allowance for 30% increase in rainfall as a result of climate change within the details of the proposed surface water drainage. No details have been provided and it is considered appropriate a condition is included on any decision to ensure the site is draining without impacting land outside the applicant's control and ensures the 30% allowance.
- 5.51 With regards to foul drainage, Yorkshire Water have no concerns with the proposals subject to their proposed conditions. Officers agree these conditions are appropriate and subject to their inclusion the proposals are satisfactory in relation to foul drainage.

6 CONCLUSION

- 6.1 Full planning permission is sought for the conversion of an existing workshop into one no. two bedroom dwelling as well as the creation of a private amenity space within the existing paddock area.
- 6.2 Whilst the site is partly within, partly outside the settlement boundary, the workshop itself and the proposed garden and parking area are all outside the settlement boundary and within the open countryside.
- 6.3 The application is considered to be acceptable in principle and represents appropriate development in the countryside in accordance with Policies SP1 and SP2 of the Core Strategy and national policy including paragraph 79 of the NPPF. Policy H12 (1) of the Selby District Local Plan is given limited weight as the approaches taken by Policy SP2A(c) and Paragraph 79 of the NPPF are significantly different to that taken in Policy H12 as they do not require the more onerous tests set out in H12 (1).
- 6.4 A buildings survey has been submitted that demonstrates, on balance, the workshop is capable of being converted without substantial rebuilding work. As such, subject to the wider development management considerations of SDLP Policy H12, the principle is considered acceptable.
- 6.5 Officers have considered the proposals against all material considerations that arise from the development, including the relevant criteria of SDLP Policy H12. This report demonstrates that the proposals overcome each of these issues including by way of conditions where appropriate.

7 RECOMMENDATION

- 7.1 This application is recommended to be GRANTED subject to the following conditions:
1. 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.

2. The development hereby permitted shall be carried out in accordance with the plans, drawings and documents listed below:
 - 22-10-19 – Proposed Floorplan & Elevation
 - 3-3-20 – Proposed Site Layout

REASON:

For the avoidance of doubt.

3. Prior to the commencement, an investigation and risk assessment (in addition to any assessment provided with the planning application) must be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - a) a survey of the extent, scale and nature of contamination (including ground gases where appropriate).
 - b) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.
 - c) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. Prior to the commencement, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and a verification report that

demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

6. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 2:
 - a) are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

REASON:

In accordance with SDLP Policies T1 & T2 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

8. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

REASON:

In the interest of satisfactory and sustainable drainage.

9. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

REASON:

To ensure that the site is properly drained and in order to prevent overloading surface water is not discharged to the public sewer network.

10. The construction of any new foundations is prohibited without the submission of details and subsequent approval by the Local Planning Authority. Following approval, the construction of any new foundations must be implemented in accordance with the approved details only.

REASON:

In the interests of protecting drainage infrastructure present on site.

11. Prior to occupation, details of surface water drainage shall be submitted to the Local Planning Authority. Details shall include the evidence of percolation testing and, should the testing prove to be successful the applicant should then provide the design for the soakaway, incorporating:
- I. Storage volume should accommodate a 1:30 year event with no surface flooding; and
 - II. Storage volume should accommodate no overland discharge off the site in a 1:100-year event; and
 - III. A 30% allowance for climate change should be included in all calculations.

The approved surface water drainage shall thereafter be implemented in accordance with these details prior to occupation of the dwelling and retained thereafter.

REASON:

To ensure appropriate surface water drainage is implemented.

12. Notwithstanding any details shown on the submitted plans and forms, no development shall take place above damp proof course until details of the materials to be used in the construction of the external surfaces of the workshop hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

REASON:

In the interests of protecting the appearance of the area in accordance with SDLP Policy ENV1.

8 LEGAL ISSUES

Planning Acts

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

Human Rights Act 1998

- 8.2 It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

Equality Act 2010

- 8.3 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

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

10 BACKGROUND DOCUMENTS

Planning Application file reference 2019/1269/FUL and associated documents.

Contact Officer: Chris Fairchild, Senior Planning Officer
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Appendices: None