

North Yorkshire Council
Community Development Services
Selby Ainsty Area Constituency Committee

12 July 2023

**2020/1191/FULM– ERECTION OF A COMMUNITY VILLAGE HALL WITH ASSOCIATED
WORKS AND INFRASTRUCTURE**

Report of the Assistant Director - Planning – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a full planning application for the erection of a new village hall and car parking for the Parish of Womersley on a parcel of recreational open space off Cow Lane, Womersley.
- 1.2 This application is reported to Committee because the Head of Planning considers this application to raise significant planning issues such that it is in the public interest for the application to be considered by Committee.

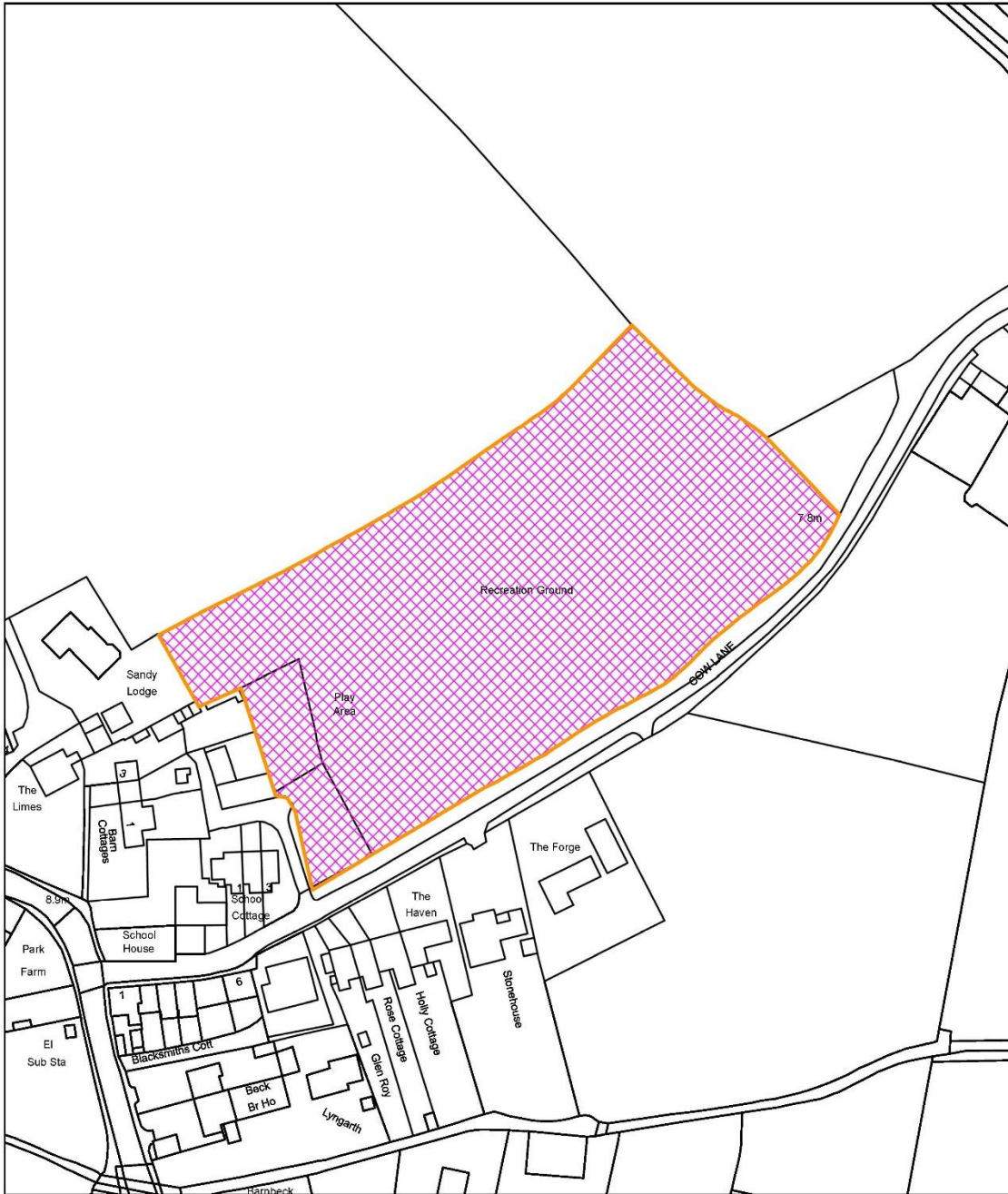
2.0 EXECUTIVE SUMMARY

- 2.1. **RECOMMENDATION: That Planning Permission be GRANTED subject to the conditions listed below and provided that the receipt of the outstanding consultations from Sport England, Yorkshire Water and Environment Agency indicate that there are no objections and no new material planning issues to be considered.**
- 2.2. This is an application for full planning permission for the erection of a village hall on an area of recreational open space off Cow Lane, Womersley. The open space is owned by the Parish Council and consists of 1.42 hectares, however the land take for the village hall is 0.12 hectares. The site lies to the north of the village within open countryside and Green Belt and adjacent to the Womersley Conservation Area. The application site is also Flood Risk Zone 1.
- 2.3. The applicants are a charitable organisation set to lease the land from the Parish Council and have previously run the village hall before it was sold off and converted into dwellings in 2018. The monies received are being used to construct the new hall.
- 2.4. The proposal is for a single storey rectangular shaped building measuring 20m x 10m, being 4m to the eaves and 6m to the ridge. The building is finished in timber effect cladding, with a steel cladded roof and grey windows and doors. Access is taken from Cow Lane, which then serves a 13-space vehicle parking area that includes disabled parking and cycle parking. The proposal also includes a new footpath through the recreation ground to join Cow Lane closer to the village and a new vehicle passing bay on Cow Lane.
- 2.5. The application has been amended to reduce the scale of the building and land take in response to concerns from Sport England. The applicants have also worked with consultees to overcome concerns relating to the impact on the local highway and drainage matters. The latter now establishing a connection to mains drainage as opposed to a package treatment plant.
- 2.6. The proposal will not impact significantly on the mineral safeguarding area and the design and scale of the building will cause no significant impact on the character and

appearance of the area or nearby residential amenity. The siting has limited impact on the adjoining Conservation Area, and it is not considered to disturb any significant archaeology remains. Whilst no contamination assessment was submitted with the application, this can be adequately controlled by condition. The development of the site poses no harm to its ecological value, however some biodiversity enhancement and management is necessary and controlled by condition.

- 2.7. However, the proposed development is regarded as inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt.
- 2.8. '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. No other harm arising from the proposal has been identified.
- 2.9. In this instance, it is considered that very special circumstances have been demonstrated which clearly outweigh the harm to the Green Belt by reason of its inappropriateness. It is therefore recommended that planning permission be granted.

The Old School, Cow Lane, Womersley
2020/1191/FULM



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3.0 Preliminary Matters

- 3.1. Access to the case file on Public Access can be found here:- [2020/1191/FULM | Erection of a community village hall with associated works and infrastructure | The Old School Cow Lane Womersley Doncaster South Yorkshire DN6 9BD \(selby.gov.uk\)](https://www.selby.gov.uk/2020/1191/FULM | Erection of a community village hall with associated works and infrastructure | The Old School Cow Lane Womersley Doncaster South Yorkshire DN6 9BD (selby.gov.uk))
- 3.2. The application is made on behalf of Womersley Village Community Hall, a Charitable Incorporated Organisation (CIO) established in 2019, replacing the former Womersley Village Hall and Reading Room CIO.
- 3.3. The application site was purchased by the Parish Council in 2010 as a playing/community field. The area of the field on which the Community Hall and parking area are proposed, has been offered to the charity on a peppercorn lease basis.
- 3.4. The application was not the subject of any pre application discussions, however several amendments to the scheme have been made to overcome matters raised in the consultee responses, mainly highway and drainage matters, and the size and scale of the proposal has been reduced to overcome the concern raised by Sport England. Final responses from these consultees are still awaited i.e. the response from Yorkshire Water and the Environment Agency concerning non mains drainage matters, however both have indicated by email that their initial objections can be overcome and subsequently withdrawn. Also, Sport England required reconsulting as the building has recently moved away from the boundary by 3m further into the site.
- 3.5. In terms of site history, there has only been 1 application to develop the site in 1979 for residential purposes which was refused. (CO/1979/18581 - Outline App for Residential Development at The Cricket Ground Cow Lane Womersley. Refused 21-FEB-79.)
- 3.6. Whilst not directly relevant history to this site, the application explains how the need for a new village hall has arisen. In August 2018, planning permission was granted to convert the original village hall to 4 no. cottages - 2018/0285/FUL - Proposed conversion of village hall to 4 no. cottages including alterations and demolition of flat roofed extension. Granted 24.8.2018.
- 3.7. The application describes how the Village Hall had stopped opening to the public approximately 2 years earlier due to health and safety reasons. Water ingress had compromised the structural integrity of the building. This caused considerable damage including the failure of the building's electrics. The Village Hall Committee at that time, commissioned a 'condition survey', to review the overall condition of the whole building and to make recommendations on the remedial works required. The costs associated with repairing and upgrading the building to bring it up to modern day standards were estimated at £195,000.
- 3.8. The planning statement describes how as a charitable organisation, with limited funds at that time, there was no realistic prospect of the building being repaired and brought back into beneficial use. Prior to the water damage in 2015/16, the Village Hall had been in continuous use since the 1930's when it was gifted to the Parish. The Hall was used for public and private events, and the operation of local classes and clubs. The income derived from these uses was insufficient to cover the costs of repair. Raising the funds to bring the building back into a useable condition proved an impossible task and the longer the building remained closed, the greater the resulting damage.
- 3.9. At that time, it was the Village Hall Committee's intentions to secure the sale of the Village Hall and reinvest the monies in a new community facility elsewhere in the village if this proved to be a feasible option. The application for conversion was made at that

time as it represented an acceptable means of securing an alternative, viable use for this historic building.

- 3.10. The planning submission details how the field was once owned by the Earl of Rosse until the Parish Council purchased it. There is a covenant on the sale which states that it can only be used in perpetuity for leisure, sport and recreation purposes. The Rosse family also facilitated the building of the primary school in Womersley in 1866 and used the field for recreation until it closed in 2006. A wooden pavilion was also built on the field by villagers in the 1950s to accommodate the local cricket team. The 'Cricket field' as it has always been called locally, has been used over the years for many celebratory and fund-raising events (eg the Queen's Jubilees, summer fairs and the 50th anniversary of VE Day) by both villagers and the church.
- 3.11. 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.

4.0 Site and Surroundings

- 4.1. The application site is an existing recreational ground located to the north of Cow Lane, Womersley. Womersley is a historic village located in the southern part of the former Selby District, about 5 miles east of Pontefract, and 10 miles south of Selby, with a population of approximately 450. The settlement sits within washed over Green Belt and the main body of the village is within the Conservation Area.
- 4.2. The application site includes all of the recreational area within the red line; however the proposed building is located within the north eastern corner of the site. The north boundary of the site is tree lined with agricultural fields to the north and south east of the site. Glebe farm exists to the east.
- 4.3. Access is taken from Cow Lane, which is a narrow lane with grassed verges. Cow Lane terminates some 1.2km to the north east. To the south west and west are residential dwellings.
- 4.4. The site is currently grassed with no formal pitches laid out, but a play area does sit on the western boundary. The area is predominantly used for informal recreation and Parish events.

5.0 Description of Proposal

- 5.1 The proposal is for a new Community Hall with associated access and parking located to the east of the playing field. The building is a rectangular shaped single storey building, measuring 20m x 10m, being 4m to the eaves and 6m to the ridge. The building is finished in timber cladding, with a steel cladded roof and the windows doors also finished in anthracite grey.
- 5.2 Access is taken from Cow Lane, which then serves a 13-space parking area and includes disabled parking and cycle parking. Overflow spaces are also shown on the grassed area. The proposal also includes a new footpath through the recreation ground to the west which links to an existing pedestrian access.
- 5.4 The site is 1.42 hectares, however this is because the entire recreation field is included within the red line. The actual built development is approximately 0.12 hectares.
- 5.3 The proposal is to replace the old village hall which was used by the community for a variety of uses including; parties, amateur dramatic performances, social events, youth club, coffee mornings for the older residents, etc. The original proposal was to widen out the use of the hall with potential uses to include adult education, library facilities,

health provision, and an area where indoor sporting facilities such as Yoga can occur, as well as being used for official services such as a Polling Station. This however will inevitably be scaled back given the reduction in the size of the building from the early submission plans.

5.4 The applicants want to recreate a social hub for the village, so that the community does not need to rely on lifts to and from activities in other villages or towns. This will in turn facilitate increased community cohesion and contribute towards tackling the charities three main objectives;

- Objective 1: Loneliness & Isolation
- Objective 2: Youth Provision
- Objective 3: Sport in Womersley

5.5 The application has been significantly amended since its original submission. The original scheme showed a much larger building, with a black clad main hall main with an internal stage, attached to a single storey rubble stone building via a glazed link. The single storey building showed a kitchen area, seating and 2 changing rooms. The wider recreational area to the west was also shown laid out for a cricket wicket of wickets with demountable ball stop netting and or a full-sized football pitch or 2 junior pitches.

5.6 The application was amended in May 2021, by removing the sports pitch element and changing rooms from the building. The current plans were received in June 2022 and were reconsulted upon. The most recent delay in determining the application has been because the objection from the Environment Agency as the original scheme relied on non *mains* drainage. The applicants have now been able to source a connection to the mains drainage system to the south of the site which has enabled the application to progress.

6.0 Planning Policy and Guidance

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2. The Adopted Development Plan for this site is:

- Selby District Core Strategy Local Plan (adopted 22nd October 2013)
- 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
- Minerals and Waste Joint Plan (adopted 16 February 2022)

Emerging Development Plan – Material Consideration

6.3. The Emerging Development Plan for this site is:

- Selby District Council Local Plan publication version 2022 (Reg 19)

On 17 September 2019, Selby District Council agreed to prepare a new Local Plan. Consultation on issues and options took place early in 2020 and further consultation took place on preferred options and additional sites in 2021. The Pre-submission Publication Local Plan (under Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012, as amended), including supporting

documents, associated evidence base and background papers, was subject to formal consultation that ended on 28th October 2022. The responses have been considered and the next stage involves the submission of the plan to the Secretary of State for Examination.

In accordance with paragraph 48 of the NPPF, given the stage of preparation following the consultation process and depending on the extent of unresolved objections to policies and their degree of consistency with the policies in the NPPF, the policies contained within the emerging Local Plan can be given weight as a material consideration in decision making.

Guidance - Material Considerations

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide 2021

7.0 Consultation Responses

7.1. The following consultation responses have been received and have been summarised below.

7.2. **Womersley Parish Council** - The Parish Council fully supports this planning application to create a community village hall on the playing field land which the Council owns. The Council is aware that the Charity which ran the previous old village hall had to take a decision to sell this building due to the high cost of repairs, maintenance and running costs. The Charity has approached the Council asking for a lease to build this much needed community building.

7.3. **Ward Member** - Cllr John McCartney. The field has not been used as a sports field for 40 years. This is a much-needed leisure facility in a village with nothing else in it.

7.4. **Conservation Officer** – No formal response, however the officer noted that the proposals have limited impact on the Conservation Area due to its location. If the building moved west, then it would have more impact on the setting of the Conservation Area.

7.5. **Contaminated Land** – No objections. The proposed development involves the introduction of receptors to the site which may be more sensitive to the presence of contamination than exist currently. A phase 1 preliminary contamination assessment or contamination screening form should have been submitted with the application, however the presence of contamination significant enough to preclude development of the site is extremely unlikely, and so it is considered acceptable to secure the production of this information by way of condition.

7.6. **NYC Highways** – No objection.

Initially requested a Transport Statement (TS) and Travel Plan (TP) to be submitted to allow full assessment of the scheme and mitigation necessary. Following assessment of the proposal further, it was requested that a condition be attached to achieve visibility splays of 2.4m x 120m along the southeast splay requiring removal of a small section of hedge line; the creation of a passing point on Cow Lane to mitigate for the narrow road width; and, the creation of a pedestrian link to avoid pedestrian/vehicle conflicts.

Further to the amended plan, it is noted that from the original response provided by the Highway Authority, the village hall has reduced in size. The amended plans also show a reduction in car parking. However, 15 car parking spaces and 14 cycle parking spaces are available. Given the size of the village hall this level of parking is acceptable to the Highway Authority. Conditions relating new and altered access, visibility splays, delivery of off-site highway works, access parking and turning and Construction Phase Management Plan are suggested.

Consequently, the Highway Authority recommends that the following conditions are applied to any planning permission granted: -

- New and altered Private Access or Verge Crossing at Land at Old School, Cow Lane, Womersley.
- Visibility Splays
- Delivery of off-site highway Works
- Provision of Approved Access, Turning and Parking Areas
- Construction Phase Management Plan

- 7.7. **Environmental Health – No objections:** - Recognised the proximity of residential properties to the application site and considered an extended construction phase may negatively impact upon nearby residential amenity during construction due to the potential for generation of dust, noise & vibration. A condition was suggested to control this along with a condition restricting building operations 08:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays. A condition was also suggested controlling the need for piling information and a schedule of works should piling be necessary.

Finally, the response recognised that once operational, the proposed community facility will fall under the licensing regime, and such additional controls for noise when operational may be required if necessary following review of any application.

- 7.8. **Environment Agency – Holding Objection** (reconsulted 23.6.23 response withdrawing objection is awaited)

Initially objected to the proposal, as the scheme proposed the use of a non-mains foul drainage system. The applicants had not satisfactorily demonstrated foul drainage couldn't be connected to a public sewer. Private sewage treatment facilities should only be used where it is not reasonable for a development to be connected to a public sewer, because of the greater risk of failures leading to pollution of the water environment. The applicants were asked to investigate this further and submit evidence that demonstrates that a mains connection is not feasible.

- 7.9. **NYC Archaeology – No objection.** The proposed site lays on the outskirts of the medieval settlement at Womersley. There are very faint traces of ridge and furrow ploughing suggesting that the site formed part of the open field system of the settlement and will have been in use for agricultural purposes for the majority of the last 1000 years. The surviving ridges are poorly preserved and do not form a constraint on the development.

- 7.10. **North Yorkshire Bat Group – No response.**

- 7.11. **NYC Ecology – No objection.**

The ecologist was pleased to see that an ecological assessment has been carried out and was supportive of the conclusions and recommendations. There is a need to ensure that the recommendations within the ecology report have been taken into

consideration within the development plans. Some of these recommendations relate to the timing of works to avoid nesting birds and making contractors aware of the potential presence of protected species - these tend to relate to legal requirements.

With regards to the measures for compensation (such as replacement hedgerow planting) and enhancement measures, at present no landscape plan is available nor an ecological enhancement plan that sets out how and where these recommendations will be incorporated. There is also a need to ensure that any compensation and enhancement measures are monitored and maintained in the long term. As such it is recommended that a Biodiversity Enhancement and Management Plan (BEMP) is submitted by condition. The BEMP should include details of the biodiversity enhancement measures including specification, location, timing of installation/creation, management of features and document who will be responsible for the various stages. There will be a need for specialist input to the plan and for some of the actions within the plan, however, as this is a community facility there may be an opportunity for interested community groups to monitor and manage the biodiversity features in the longer term. As such, the need to secure a BEMP can be conditioned.

- 7.12. **Landscape Officer** – No objection. Informal comments only provided. Requested plans to be adjusted to show trees and hedgerows being retained or use planning conditions to protect boundaries to the site and the wider recreation ground. (Protect existing hedgerows and trees (min 2m stand-off suggested), hedgerow reinstatement at entrance (detailed landscape scheme to also include maintenance establishment, future maintenance management details for the existing wider hedgerows to be retained), CPM to protect trees and recreation field during works.
- 7.13. **North Yorkshire Fire and rescue** - No objection.
- 7.14. **North Yorkshire Police** – No objection. The officer did make some design recommendations based on the original scheme, however overall proposed design and layout are appropriate and raise no significant concerns in relation to Designing Out Crime. The officer noted the amended plans and acknowledged that the site continues to be located within an area with relatively low crime area and low anti-social behaviour (ASB) levels. The officer was pleased to see the revised design removed the recessed area previously highlighted and that surveillance of some of the cycle parking has been improved by the introduction of fenestration in the south-west elevation of the building.
- 7.15. **Lead Local Flood Authority** – No response.
- 7.16. **Sport England** – No objection. Sport England initially issued a holding objection (16.2.2021), due the proposal prejudicing the use of the sports field. The initial plans included changing accommodation and the playing field being marked out for football, cricket and rounders. Concerns were raised by the football foundation over the excessive loss of playing field for the sizeable village hall and car parking/access. Concern was also noted over the layout and detailed design of the changing facilities and locations for the marking out of the pitches. Concerns was also raised over the need for such changing and sports facilities.

The plans were reduced in scale and the marking out of pitches removed from the proposals so it just became a generic village hall. Sport England noted the reduced scale and that when the last pitch was marked out, this occupied about three quarters of the playing field. The remaining quarter is where the village hall is proposed. The previous layout plan (that has since been amended) showed that the site could be marked out for pitch sport. There would still be sufficient playing field remaining that could be marked out for pitches to serve any identified demand. The village hall will include parking, toilets, kitchen and social area. This will support and provide ancillary facilities for any users of the playing field should it be marked out for pitch sport to meet

any identified demand. The village hall will create a community hub and bring people to the site. As stated above, this will support any users of the playing field if it is marked out for pitch sport.

In light of the above characteristics relating to this site and the planning application, on this occasion Sport England is satisfied that there would be no harm to the sport and recreation provision. Sport England has no objection to the amended plans.

- 7.17. **Urban Design Officer** – The comments were based on the original design only. In principle supports the scheme however there is room for improvement on design grounds. The design officer felt that the modern architecturally on-trend design has become is the most important consideration, and the proposals suffer as a result. The village hall needs to be more functional and welcoming. Comments included relocating car parking to the rear north, adding cycling parking, pedestrian links to the west. More soft landscaping needs to be included.

The design officer suggested the form, massing, materials, and details appear to be a positive response to the rural context. Concern was raised over the lack of openings i.e. the void-to-solid ratios, which results in bleak and oppressive elevations. The building lacks symmetry and has undue variety in its windows. Concerns were also raised over the internal layout of the building and lack of natural ventilation.

- 7.18. **Yorkshire & Humber Drainage Board** - No response.

- 7.19. **Yorkshire Water** – Holding objection.

(14.1.2021 – first response)

Waste Water. The agent/applicant have stated on the application form that foul water is proposed to be drained to private treatment plant and surface water to soakaway. In this instance, the application should be referred to the Environment Agency and the Local Authority's Environmental Health Section for comment on private treatment facilities. If comments from the EA and EHS are not satisfactory, they have the alternative of draining foul water only to the public foul sewerage network located in Cow Lane, near to junction with Main Street. The agent would need to investigate further if foul water flows can be drained either via gravity connection or pumped to the sewer. Please re-consult YW if foul water drainage proposals are modified for comments and conditions.

(1.7.22 2nd response) - The previous comments in YW's letter dated 14th January 2021 still apply, in that insufficient information has been submitted as to why foul water can't be discharged to public foul sewer network whether via gravity or by pumping or even both options instead of private treatment plant. It is also noted that the Environment Agency have raised objection comments in their letter dated 24th February 2021 and no doubt they would want to see further information, before even considering any issue of an environmental permit.

Local Representations

- 7.20. The application was advertised via x4 site notices and in the P&C Express 28.1.21 and via direct neighbour notification due to its age.
- 7.21. Local representations have been received of which 29 are in support and 15 are objecting. A summary of the comments is provided below, however, please see website for full comments. The comments below were from the first round of consultation in January 2021 based on the original plans.

- 7.22. Support: 29 Letters of support :
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- i. The proposed two-phase build bears no resemblance to the 'off the shelf' cabin-type structure originally put to residents at a meeting held on 23rd October 2019.
- ii. It will offer a hub of great activities for all ages, bringing the community together and offering a communal space for residents especially who aren't able to go out of the village and also for younger members of the village to socialise.
- iii. It will in time help to support mental wellbeing and feelings of isolation. Especially important when we start to move out of covid restrictions.
- iv. The design and scale which will be sympathetic to the environment with a nod to the historic architecture of Glebe Farm.
- v. We have limited amenities in village e.g. the church and tea room. Therefore, a replacement village centre would be a welcome addition and replaces the old village hall.
- vi. It would make a big difference to the village, and it could be used for sport and clubs.
- vii. It is important to have a place for the community to mix and enjoy away from busy roads and neighbouring houses. Our village needs a focal meeting place.
- viii. This particular site is already owned by the community, and the whole basis of the sale of the old hall was predicated on building a new hall on the field.
- ix. Size wise it is almost exactly the same floor area as the old hall, and the design incorporates space that can be used as sports changing facilities, facilitating greater use of the field.
- x. The new hall can accommodate regular activities from Pilates classes, Sewing classes, Youth Club through to Coffee mornings and Afternoon Teas. As one of the older residents once commented, 'these coffee mornings are the only place I can meet other people from the village. We haven't a shop or a pub'
- xi. The aim is that the new building will become a hub for the village and, in particular, for those who don't have access to their own transport.
- xii. Approval of these plans, which involve the construction of an eco friendly, economical to run structure, is vital for the short and long term well being of the residents of Womersley.
- xiii. Having a central point for meetings, celebrations, community events, exercise and hobbies is welcomed. This will be an asset to the village.
- xiv. Surrounding villages with Village Halls have no problem with traffic/car parking. I see a new.
- xv. The village facilities that promoted socialisation in the village have declined one by one as the school, the post office, the shop and the village hall disappeared. The Parochial Church Council have created a limited space at St. Martin's Church, where a small meeting could be held, the proprietor of The Courtyard Tea Room generously offers her facilities for use by the general public but of course the time is limited to that when the business is closed. A building, available at all times and large enough for indoor pursuits for all age groups is desirable and the current plan meets the criteria.

7.22. Objection: 15 letters of objection have been received on following grounds:

- i. The proposed two-phase build bears no resemblance to the 'off the shelf' cabin-type structure originally put to residents at a meeting held on 23rd October 2019.
- ii. The size of the whole of the proposed build goes well beyond the needs of the village. The building isn't fit for purpose. Concerns over the build cost and upkeep of such a large building and lack of feasibility. A smaller building would be more appropriate leaving money for upkeep and other community events. This is an over development of the site.
- iii. The structure alone will only provide the community with a meeting room, not a village hall.

- iv. A cabin-type structure, 20m x 10m, would be more than sufficient for the community's needs and would fall within budget, using current monies available. It could also be constructed off site to limit nuisance. The village cannot sustain a building of this size.
- v. The proposed design is not in keeping with the buildings closest to the field and would create something of an eyesore.
- vi. The field has only rarely been used by a local team for football practice.
- vii. There has never been a request for changing room facilities and the inclusion of these is completely unnecessary.
- viii. There hasn't been sufficient communication with residents.
- ix. The building will use much valued green space, a haven for dog walkers of the village of which there are many.
- x. The changing rooms are unnecessary.
- xi. Concerns over road safety on Cow Lane. Current traffic is at a dangerous level, trade vans and curtain side lorries speed up and down this small lane of which is a route families with children use to access the children's play area. By attracting sports teams from outside the area we are placing people in danger. It should be a 'small' facility and for 'village use only' encouraging people to walk to it, and to reduce the volume of cars.
- xii. Conflicts with Green Belt Policy.
- xiii. The proposal will lead to the loss of the small wooded area where the building is going. Children use this.
- xiv. The proposal has a lack of parking and the area is already congested. The proposal would see an increase in traffic on Cow Lane, which is very narrow and is unsuitable.
- xv. The current proposal would reduce, rather than increase, the amenity value of the playing field area, particularly for those of us with children.
- xvi. We have grave concerns about the security and maintenance of a large building which cannot be supervised at all times.
- xvii. Why can't we have our only green space left free for dog walking and Womersley family enjoyment? This is a quiet country Lane with no way of increasing the level of foot, vehicle or cycling traffic without causing noise or hindrance to the immediate local community.

7.23. A further round of consultation via site notice was undertaken in 6.7.2022 based on the reduced amend plans. No further letters were received.

8.0 Environment Impact Assessment (EIA)

8.1. The development falls within Schedule 2 Category 10(b) Urban Development Projects of The Environmental Impact Assessment Regulations 2017 (as amended) and exceeds threshold (i) due to the site being over 1 hectare. The actual development area is however only 0.12 hectares. As such the Council as Local Planning Authority have screened the development and found that it is not EIA development, and no Environmental Statement is required to be submitted with the application.

9.0 Main Issues

9.1. The key considerations in the assessment of this application are:

- Principle of Development
- Green Belt considerations
- Loss of part of the playing field
- Minerals
- Impact on landscape character
- Design and Layout
- Impact on Heritage assets

- Contamination and ground conditions
- Impact on nature conservation
- Flood Risk & Drainage
- Construction impacts and Residential Amenity
- Access and Highway safety
- Consideration of very special circumstances

10.0 **ASSESSMENT**

Principle of Development

- 10.1. The site is an existing Parish owned recreational field outside the settlement boundaries of the Womersley and within Green Belt. The Selby and District Core Strategy in Policy SP1 promotes a presumption in favour of sustainable development. 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. SP2 does allow smaller development in rural villages and has a policy for development within the Green Belt. Policy SP2A states:

"In Green Belt, including villages washed over by the Green Belt, development must conform with Policy SP3 and national Green Belt policies".

- 10.2. As the application site is positioned outside these locations and within the Green Belt, Policy SP3 applies. This guides the development principles for proposals within the Green Belt in line with the NPPF and 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."

- 10.3. Policy SP12 'Access to services, Community Facilities and Infrastructure' has some limited relevance and essentially deals with the provision of new services that are to be implemented in connection with new development. This proposal is a standalone new facility for the village.

- 10.4. Similarly, Policy SP13 controls the scale and distribution of economic growth and part C controls rural areas. Part C allows for well-designed new buildings, leisure developments and other small scale rural development, Criteria 5 seeks the retention of local services and supporting development and expansion of local services and facilities in accordance with SP14. Its states in D 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."*

- 10.5. Policy SP14 'Town Centres and Local Services' allows for local shops and services outside established centres, specifically states *"by resisting the loss of existing facilities and promoting the establishment of new facilities to serve the day-to day needs of existing communities"*.

- 10.6. Likewise, the Selby and District Local Plan contains policy CS4 (New Community Centres) that allows for new community centres within Development limits. This supports new community centres where the proposal and activities would not create highway safety concerns or have a significant adverse effect on local amenity, adequate car parking, good design and wouldn't have an adverse effect on the character and appearance of the area. The site must be accessible for the local community without the private car and should be designed to allow several types of activity to be accommodated.' The policy rather importantly in this case, states

exceptionally where there is no suitable site within development limits, proposals may be permitted at or close to the edge of the settlement.

- 10.7. The above policies are overarching considerations which allow for the development. The application and letters of support clearly detail the need for such a community facility, following the previous hall being sold off and now converted to residential use. Such community uses can provide valuable services to rural settlements and the site is close enough to be regarded to be within the village and accessible to the existing rural population on foot. Therefore, there is clear support for the principle of new community facilities.
- 10.8. The key consideration is the assessment of national Green Belt policy given its location beyond the settlement boundary. 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.
- 10.9. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraphs 149 of the NPPF set out inappropriate development in the Green Belt in that 'the construction of new buildings is inappropriate' unless included in a list of exceptions. The proposal does not fall within any of these exceptions, though the most relevant is exception (b) which allows for the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 10.10. The proposal as originally presented with the changing rooms, could have been partially regarded as the provision of appropriate facilities in connection with the existing use of land for outdoor sport, outdoor recreation. Given the existing use of the land is sport and recreation, appropriate facilities could be considered to enhance this use. However, the erection of the village hall, which is the main part of the proposal cannot be considered an appropriate facility to the existing land use and that part is regarded as inappropriate development. Also as noted in the Sport England response the need for the changing facilities to encourage formal use of the land is not proven, meaning there is no justified need for the changing rooms. The changing room element has also since been removed from the scheme along with the formal laying out of pitches.
- 10.11. The proposed development, as it falls outside any of the exceptions listed in paragraph 149, would therefore be inappropriate development in the Green Belt.
- 10.12. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 10.13. Paragraph 148 of the NPPF states that substantial weight should be 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.
- 10.14. This report will go on to identify if there is any other harm resulting from the proposals before considering the very special circumstances and weighing these in the planning balance.

Section 149 of The Equality Act 2010

- 10.15. Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 10.16. The proposed development of the site would not result in a negative effect on any persons or on persons with The Equality Act 2010 protected characteristics and indeed has the potential to benefit individuals and groups falling within the protected characteristics by providing a modern and accessible hall to meet local needs.

Impact on the Openness of the Green Belt and the Purposes of including land within the Green Belt

- 10.17. In addition to the above, an assessment of whether there is any further harm over and above that of definitional harm to the Green Belt is required in terms of openness and purpose of including the land within the Green Belt.
- 10.18. Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. 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. Openness is not defined in legislation or policy, but the Courts have confirmed that it can include, though is not limited to, an assessment of:
- spatial and visual aspects;
 - the duration of development and its remediability;
 - the degree of activity likely to be generated.
- 10.19. Paragraph 138 of the NPPF states that the Green Belt serves five purposes, those being: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns from merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.20. The building is modest in scale and positioned for functionality purposes and has been designed to mimic a modern agricultural building. The timber clad exterior and sheeted roof are a modern twist on the type of buildings readily seen within a rural area such as this. The wider recreational field is self-contained, in that it has a defined tree/hedge lined boundary, and the retention of the existing vegetation will limit views into the site to be restricted.

- 10.21 The proposed siting to the south-eastern corner of the playing field at the furthest extent from the existing built form of the village. The building would sit 160m from the nearest built form to the west and 92m to the dwellings on the south of Cow Lane. To the east along Cow Lane lies a former farmstead, seemingly used as a timber manufacturer. The development would certainly interrupt the undeveloped nature of the recreational area through the introduction of built massing and hardstanding away from the village and would be divorced from the settlement by the open playing field. This would have an urbanising effect on the recreational area and would introduce new built form onto an undeveloped field that would be visible in part from Cow Lane.
- 10.22. As such, it would result in some harm to the openness of the Green Belt in spatial terms. Similarly, it would have an effect on openness in visual terms. The building has a degree of permanency as a community hall and would generate activity to the site over and above its use as a sports field.
- 10.23. Given the location of the proposed development on the site, it is considered that there would be further harm arising in terms of c) safeguarding the land from encroachment.
- 10.24. Having regard to the above, the proposed development would result in some further harm to openness of the Green Belt and the purposes of including land within it has been identified. Therefore, the proposal is contrary to Policy SP3 of the Core Strategy and national planning policy contained within the NPPF (specifically paragraphs 137 and 138). In accordance with Paragraph 148, any harm needs to be attributed substantial weight.

Loss of part of the playing field

- 10.25. The application site consists of a playing field that is within active use and owned by the Parish Council. The proposed development would develop approximately 1/10th of the playing field, which would be permanently sterilised by the built development. The village hall on occasion would be utilised in connection with the recreational land use, but for the most part the hall would be used independently of the recreational area. There is no particular reason why the village hall has to be on a recreational area, however it is recognised that the land is owned and controlled by the Parish Council and therefore this is easier to negotiate being for a community use. In terms of the partial loss of the recreational area by built development this is discussed in the NPPF and Sport England Guidance.
- 10.26. Paragraph 99 of the NPPF states:
- Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 10.27. This is also echoed in Core Strategy policies SP12, SP18 and Local Plan Policy RT1 which states: *“Proposals which would result in the loss of existing recreation open space and allotments will not be permitted unless:*
- 1) The use has been abandoned and the site is not required to remedy an existing deficiency for recreation or allotment use elsewhere in the locality; or*

- 2) *Alternative provision of at least the equivalent size, accessibility and quality is made within the locality to serve the needs of the existing community; or*
- 3) *Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site."*

10.28. In addition, Exception E4 of Sport England's Playing Fields Policy states:

'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

10.29. Sport England's Playing Fields Policy, opposes the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

10.30. The conclusions from the Sport England initial response, was that there was no evidence of a strategic need for cricket facilities in the area. The football federation welcomed formal use of the recreation area, however this could occur with or without the village hall. Concern existed in over the size and layout of the changing rooms for cricket or football use.

10.31. The applicants confirmed to the ECB and Football Federation that they don't have a village football or cricket team in Womersley, and "we don't anticipate their being one, as the population demographic would not sustain a team both in terms of numbers, and also age. The changing rooms were intended more for use associated to activities in the hall, eg Pilates, Exercise Classes, and for use by any entertainers who might be involved in performances at the hall. The field is currently used purely for local recreation and the only football that might be played would be a "kick about". Also, the applicants indicate that "the field dips quite sharply in the middle rendering it unsuitable for serious team sports."

10.32. The proposal will therefore lead to the partial direct loss of space within the playing field. This space isn't deemed surplus to requirements and isn't being replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The development is not for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. The proposal is instead being used as a village hall, which could accommodate some sport and recreational use.

10.33. The proposal therefore has some policy conflict given the loss of the open space. The village hall does not have to go on recreational open space, however given the space is controlled by the Parish Council some linkages will occur. The key aspect for members to consider is whether the proposed new community facility and all the advantages it brings to the community, outweighs the loss of part of the playing field.

10.34. Whilst alternative sites have not been fully explored, Sport England now consider that space could still exist for a sports pitch to be marked out to serve any identified demand, and the reduced scale of the village hall takes up less of the recreation area. Sport England also recognised that the village hall will support and provide ancillary facilities to any users of the field should it be marked out in the future, and the village hall will create a community hub and bring people to the site. On this basis Sport England raised no objections to the scheme, but final comments are awaiting on the resiting of the building 3m further into the site. Given the previous lack of objection and

minimal re-siting, officers are minded to progress with a positive recommendation in respect of the loss of part of the playing field.

Minerals

- 10.35. The site is within brick clay and limestone safeguarding area designated by policy S01 of the Minerals and Waste Joint Plan. Policy S02 requires a minerals assessment for non-exempt development such as this. The proposal does not include a minerals assessment, as the submission pre-dates the adoption of the Minerals and Waste Local Plan. Consultation the Minerals and Waste team is awaited, however it is not expected to cause concern as the site is extremely small in comparison with the safeguarded area and its unlikely to support future working being so close to residential dwellings and the fact that the field is in recreational use.
- 10.36. The site is identified on the Coal Authority interactive map as lying within a low-risk area for which the standing advice is to impose an informative to draw this risk to the developer's attention.

Impact on landscape character

- 10.37. The National Planning Policy Framework states that planning policies and decisions should "contribute to and enhance the natural and local environment" by "protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)" (paragraph 174.a);
- 10.38. Selby District Local Plan Policy ENV1(4) requires development to consider approaches on landscaping within the site and taking account of its surroundings. Policy SP19(e) requires that proposals look to incorporate new landscaping as an integral part of the scheme. Policy SP13 states that in all cases economic growth should be sustainable and appropriate in scale and type to its location, not harm the character of the area and seek a good standard of amenity.
- 10.39. The site lies doesn't have any specific landscape designation, though does lie within Green Belt and on the edge of the settlement. The body of the village exists to the south-west of the site and Cow Lane heading east isn't heavily used. The building will however be viewed across the playing field by its users and from dwellings to the west of the site. The building's design is relatively squat with 4m eaves and 6m ridge and the mature hedge on the southern boundary of the site helps screen the recreational field from Cow Lane. Likewise, a mature boundary with trees exits on the eastern boundary, both of which are owned and managed by the Parish council and are to remain in situ.
- 10.40. The Landscape Officer raised no major concerns over the proposal and recognised the need for the facility. The officer favoured a less detached location, however appreciated that if the building moved west, then it would have more impact on the Conservation Area. The key objective of the officer was to seek to retain the southern and eastern boundary hedging to help screen the building and protect the recreation field's boundaries. The revised plans showed the car parking tight up to the eastern boundary and therefore the plans have been amended to move the parking away from the boundary by 3m and show the hedge being retained on the site plan. A general landscaping condition is included requiring details of tree protection, construction management plan to show defined working area so the wider recreational field is not damaged, a detailed landscaping scheme that includes future maintenance management details for the existing wider hedgerows to be retained.

10.41. The proposed development is therefore considered not to cause a harmful impact on landscape character, visual amenity, and views of the open countryside and the rural context of Womersley. Therefore, the proposal is in accordance with Selby District Local Plan Policy ENV1(4), and Core Strategy Policies SP13 and SP18.

Design and Layout

10.42. It is considered that Policy ENV1 of the Selby District Local Plan (2005) is relevant in the consideration of this application. Policy ENV1 provides that proposals for development will be permitted providing that a good quality of development will be achieved. Policy ENV1 specifies that in considering proposals the Council will take into account the effect upon the character of the area or the amenity of adjoining occupiers and will also consider the standard of layout, design and materials in relation to the site and its surroundings and associated landscaping.

10.43. Policy SP19 of the Selby District Core Strategy Local Plan (2013) states that all proposals for new development will be expected to contribute to enhancing community cohesion by achieving high quality design and have regard to the local character, identity and context of its surroundings including historic townscapes, settlement patterns and the open countryside. It seeks to ensure that both residential and non-residential development makes the best, most efficient use of land without compromising local distinctiveness, character and form and positively contributes to an area's identity and heritage in terms of scale, density and layout.

10.44. The application was supported by a Design and Access statement which explores the design brief and needs of the community, which in turn informed the original design. It was the intention of the main hall to be used for short matt bowling, a meeting points for scouts/guides, yoga classes, amateur dramatics and live music (Stage), children's parties, puppy training and jumble sales. The original plans also showed a smaller single storey building required as a kitchen area, café and changing facilities.

10.45. The layout was eventually scaled back to just include the main hall with a small kitchen area, lobby and toilets. The main hall would be multi-functional, being 13.5m in length and would make the scheme more financially viable and cost effective to maintain.

10.46. In terms of layout, the existing field access would be utilised, which then serves a 15-space parking area that wraps around the building to the frontage and eastern elevation. The area around the building would be paved and an opportunity exists for a landscaping area to the west of the building and south. The buildings revised location adjacent to the access now sterilises less of the playing field and is a more efficient use of the space.

10.47. In design terms the building has a simple shallow pitched roof design with a metal clad sheeted roof and vertical hit and miss timber effect cladding with the main openings facing east onto the playing field and pedestrian access. The final material is controlled by condition.

10.48. In terms of the consultee response the Designing Out Crime Officer raised no objection however did make some design recommendations which have been largely incorporated into the scheme. If incorporated, then these measures would enhance the security of the scheme. The urban design officer did raise some concerns over the design of the original proposal, however again the amend design largely addresses these.

10.49. The proposal in its amended form accords with Policy ENV1 of the Selby District Local Plan and Policy SP19 of the Selby District Core Strategy Local Plan (2013).

Heritage impacts of the proposal

- 10.50. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a Conservation Area.
- 10.51. The main designated heritage asset is Womersley Conservation Area, which exists 150m west of the proposed location of the building. Due to its distance, the Conservation Officer was not unduly concerned with the location of the village hall, however noted that should it move west, then the building would provide more harm to the setting of the Conservation Area. This would likely to influence the design and the materials used in the construction of the building.
- 10.52. In terms of archaeology, Policy ENV28 requires that where development proposals affect sites of known or possible archaeological interest, the District Council will require an archaeological assessment/evaluation to be submitted as part of the planning application; where development affecting archaeological remains is acceptable in principle, the Council will require that archaeological remains are preserved in situ through careful design and layout of new development; where preservation in situ is not justified, the Council will require that arrangements are made by the developer to ensure that adequate time and resources are available to allow archaeological investigation and recording by a competent archaeological organisation prior to or during development.
- 10.53. The Council's heritage officer raised no objection to the scheme, as the proposed site lays on the outskirts of the medieval settlement at Womersley. There are very faint traces of ridge and furrow ploughing suggesting that the site formed part of the open field system of the settlement and will have been in use for agricultural purposes for the majority of the last 1000 years. The surviving ridges are poorly preserved and do not form a constraint on the development. Therefore, no further evaluation was deemed necessary, and the proposal accords with Policies ENV1 and ENV28 of the Local Plan, Policies SP18 and SP19 of the Core Strategy and the NPPF.

Contamination and ground conditions

- 10.54. Policy ENV2 of the Local Plan states "*Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element in the scheme.*" Part B of the policy allows contaminated land conditions to be attached to permissions.
- 10.55. Core Strategy Policy SP18 seeks to protect the high quality of the natural and man-made environment by ensuring that new development protects soil, air and water quality from all types of pollution. This is reflected in Policy SP19 (k), which seeks to prevent development from contributing to or being put an unacceptable risk from unacceptable levels of soil or water pollution or land instability.
- 10.56. NPPF paragraph 174 requires decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 185 requires decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts

that could arise from the development. In doing so Council's should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. Paragraph 186 requires decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

- 10.57. The site is currently a grassed field with no previous known land use. No contamination information or desk top analysis was submitted with the application. The Council's contamination consultant noted that the proposed development involves the introduction of receptors to the site which may be more sensitive to the presence of contamination than exist currently. A phase 1 preliminary contamination assessment or contamination screening form should have been submitted with the application, however the presence of contamination significant enough to preclude development of the site is extremely unlikely.
- 10.58. On this basis officers are satisfied that it is considered acceptable to secure the production of this contamination information by way of condition. Four conditions are therefore recommended 1) a Land investigation risk assessment prior to development commencing, 2) Remediation scheme, 3) verification report and 4) reporting of an unexpected contamination. The above conditions will therefore ensure compliance with Policy ENV2 of the Local Plan and Policy SP19 of the Core Strategy.
- 10.59. In light of the above and subject to suitable conditions, it is considered that the proposal would not breach Convention rights contained in the Human Rights Act 1998 in terms of the right to health and right to private and family life.

Nature Conservation

- 10.60. Local Plan Policy ENV1 requires account is taken of the potential loss, or adverse effect upon, significant wildlife habitats. The foreword to Core Strategy Policy SP2 states the protection and enhancement of biodiversity and natural resources is a basic principle of national planning guidance, which can also influence the location of development. Policy SP18 requires the high quality and local distinctiveness of the natural and man-made environment will be sustained by promoting effective stewardship of the District's wildlife by a) safeguarding international, national and locally protected sites for nature conservation, including SINCs, from inappropriate development. b) Ensuring developments retain, protect and enhance features of biological and geological interest and provide appropriate management of these features and that unavoidable impacts are appropriately mitigated and compensated for, on or off-site. c) Ensuring development seeks to produce a net gain in biodiversity by designing-in wildlife and retaining the natural interest of a site where appropriate.
- 10.61. NPPF paragraph 174 requires decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value in a manner commensurate with their statutory status or identified quality in the development plan; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 10.62. A Preliminary Ecological Appraisal Report was submitted with the application given the rural nature of the site and current land use. The main findings are no further work was required in respect of protected species, but some mitigation and enhancement measures were recommended.

- 10.63 The county ecologist supports the conclusions and recommendations which relate to the timing of works to avoid nesting birds and making contractors aware of the potential presence of protected species. With regards to the measures for compensation (such as replacement hedgerow planting) and enhancement measures, the submission doesn't contain a landscape plan or an ecological enhancement plan to show how or where these recommendations will be incorporated. There is also a need to ensure that any compensation and enhancement measures are monitored and maintained in the long term. As such it is recommended that a Biodiversity Enhancement and Management Plan (BEMP) is submitted by condition.
- 10.64. The BEMP should include details of the biodiversity enhancement measures, including specification, location, timing of installation/creation, management of features and document who will be responsible for the various stages. There will be a need for specialist input to the plan and for some of the actions within the plan, however, as this is a community facility there may be an opportunity for interested community groups to monitor and manage the biodiversity features in the longer term.
- 10.65. The proposal therefore causes no significant impacts on nature conservation interests and together with the need for a BEMP and landscaping will ensure compliance with Policy ENV1 (5) of the Local Plan, Policy SP18 of the Core Strategy and section 15 of the NPPF.

Flood risk, drainage and climate change

- 10.66. Relevant policies in respect of flood risk, drainage and climate change include Policy ENV1(3) of the Selby District Local Plan and Policies SP15 "Sustainable Development which seeks to apply sequential and exceptions tests, and Climate Change", SP16 "improving Resource Efficiency" and SP19 "Design Quality" of the Core Strategy. NPPF paragraph 159 requires "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere." Paragraph 162 states "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding."
- 10.67. The application site is located in Flood Zone 1 (low probability of flooding). As such a sequential flood risk test is not required. The original application form details that foul drainage will be via a new package treatment plant and surface water will drain to a soakaway.
- 10.68. Yorkshire Water was content with this method of disposing foul drainage and indicated that the Environment Agency and the Local Authority's Environmental Health section should be consulted which they were. Yorkshire Water did indicate that should the soakaway and package treatment plant be ineffective then it's possible the applicants have the alternative of draining foul water only to the public foul sewerage network located in Cow Lane, near to junction with Main Street. The agent would need to investigate further if foul water flows can be drained either via gravity connection or pumped to the sewer.
- 10.69. The Environment Agency objected to the proposed development because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer, but no justification has been provided for the use of a non-mains system.

- 10.70. The applicants responded by stating the nearest sewage drain is a long way from the site. Glebe farm at the end of the lane is on Septic tank drainage for that reason. The charity does not have the funds to create a connection to mains. This impasse caused significant delays to the determination of the application. The situation was resolved when the applicants did establish that a connection could be made south of Cow Lane via 145m long sewer pipe that crosses two privately owned paddocks and join the existing Yorkshire Water Sewer. The sewer depth was established and this would leave enough fall to span the distances. The estimated cost of this connection was £63,000 and the applicants have decided to progress this and opt for a sewer connection.
- 10.71. Both Yorkshire Water and the Environment Agency have indicated by email to the case officer that this is acceptable, and both will withdraw their objection and provide final comments on receipt of formal consultation. This was recently undertaken and the response will be provided as an update for Committee Members. Should the responses not be received then the recommendation will be 'minded to grant' recommendation to allow the decision to be issued by Officers following consultation with the Chair post committee.
- 10.72. In terms of the surface water, no details have been supplied and no response from the IDB or SUDs received. On this basis its appropriate to add a drainage condition to cover this.
- 10.73. It is therefore considered that the proposals adequately address flood risk and, subject to appropriately worded planning conditions, can be properly drained in accordance with SDLP Policy ENV1, CS Policy SP19 and national policy contained in the NPPF.

Construction Impacts and Residential Amenity

- 10.74. SDLP Policy ENV1 requires a good standard of layout and design and that the effect of new development upon the amenity of adjoining occupiers to be taken into account. Policy ENV2 Part A states that; "Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element to the scheme. Such measures should be carried out before the use of site commences."
- 10.75. Due to the combination of the orientation of the site, the height of the building and the distances involved to residential dwellings to the south and west of the site, the proposed is not considered to cause significant adverse effects of overlooking, overshadowing and or oppression. It is therefore considered that the amenity of the adjacent residents in terms of the above would be preserved in accordance with Policy ENV1 of the Selby District Local Plan in this respect.
- 10.76. The location of the building would likely result in an intensification in the use of the site, meaning more vehicles using Cow Lane and more events and through traffic. This will naturally cause some increased disturbance to residents that live close by. Also, the hall will be closed for significant periods throughout the year and only used when meetings, or other events are taking place. A condition is added requiring the hours of opening and operating to be specified prior to the use commencing, in order that the Local Planning Authority can control the use and protect the amenity of nearby residents.
- 10.77. The proposed development will entail an extended construction phase. This phase of the development may negatively impact upon nearby residential amenity during construction due to the potential for generation of dust, noise & vibration. On this basis

the Environmental Health officer concluded that it would be necessary to control the construction phase by planning conditions (CMP Construction Management Plan) to protect the residential amenity of the area. This would also limit the hours of working and control over piling. The EHO also confirmed that once operational, the proposed community facility would fall under the licensing regime, and such additional controls for noise when operational may be required if necessary following review of any application.

- 10.78. In light of the above and the mitigation measures that could be put in place, it is considered that the proposal would not contravene Convention rights contained in the Human Rights Act 1998 in terms of the right to private and family life.

Access and highway safety

- 10.79. Core Strategy Policy SP15 requires the proposal should minimise traffic growth by providing a range of sustainable travel options (including walking, cycling and public transport) through Travel Plans and Transport Assessments and facilitate advances in travel technology such as Electric Vehicle charging points; and make provision for cycle lanes and cycling facilities, safe pedestrian routes and improved public transport facilities.
- 10.80. Core Strategy Policy SP19 requires the proposal to be accessible to all users and easy to get to and move through; and create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts.
- 10.81. Local Plan Policy ENV1 requires account is taken on the relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking.
- 10.82. Local Plan Policy T1 states “Development proposals should be well related to the existing highways network and 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”.
- 10.83. Local Plan Policy T2 states “Development proposals which would result in the creation of a new access or the intensification of the use of an existing access will be permitted provided: 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.
- 10.84. NPPF paragraph 104 requires transport issues be considered from the earliest of development proposals so that impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; opportunities to promote walking, cycling and public transport use are identified and pursued; and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.
- 10.85. The proposal is accessed via an existing field access from Cow lane, which is a typical rural lane with a narrow carriageway and wide grass verges and no public footpaths. It is now a ‘no through road’ with limited vehicular traffic heading east. The proposal as originally submitted showed are more expansive building with a 23-space car park site and no pedestrian access or highway upgrades.

- 10.86. The Highway Authority was consulted and initially requested a highway assessment. The officer noted that although the applicant has stated that the access off Main Street would not be a highway safety issue, vehicles park on the footway/carriageway on this stretch of unrestricted road (Cow Lane) and no information relating to the amount of parking spaces has been provided when assessed under the County Council Parking Standards. The cricket and football elements were later removed, but the building still remained at 310 sqm, so would require 13 spaces. The Highway officer regarded 23 spaces as excessive, however appreciated the multi-functional use of the building well mean that more parking will be required when certain events occur. The highway officer maintained the view that a Transport Statement (TS) and Travel Plan (TP) needed to be submitted to assist in mitigating the impact of development and help address the concerns raised in the third-party objections. The design officer also noted that a footpath through the POS at the eastern end would provide better linkages to the proposal and lessen the need to visit by car.
- 10.87. The applicant did liaise with the highway authority who carried out a report on TRICs to determine the likely vehicle movements associated with a village hall. The results justified the level of car parking spaces shown and prevented the need for a Transport Assessment and Travel Plan. The highway officer moved to support the proposal however required the current visibility splay to be upgraded, which would mean some of the hedge reduced in height. The highway officer noted that the geometry of Cow Lane including the reduced carriageway width and the bend in the road are such that vehicles will have to drive at reduced speeds before arriving at the site entrance, lessening the impact on highway safety. The highway also welcomed the proposed passing place on Cow Lane to overcome the narrow road width and the fact that simultaneous passage of vehicles cannot be achieved, for the majority of the site boundary. The passing place is shown outside the application site and shows a 20m passing bay adjacent to the site entrance. Conditions were suggested to ensure its installation.
- 10.88. The plans were reduced yet further and the building reduced to 200 sqm and 15 car parking spaces and 14 cycle spaces shown. Again, this was found to be acceptable to the Highway Authority and a pedestrian access across the field was introduced. Conditions relating new and altered access, visibility splays, delivery of off-site highway works, access parking and turning and Construction Phase Management Plan will ensure accordance with SDLP policies ENV 1, T1, T2 and also national policy contained in the NPPF.

Case for Very Special Circumstances

- 10.89. It has been determined earlier in this report that the proposal is inappropriate development in the Green Belt, which is by definition harmful to the Green Belt. Further harm has been identified to openness and purposes of including land within the Green Belt. Therefore, it is necessary to consider whether other considerations exist that taken together or individually fulfil the very special circumstances necessary to clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harms. Such very special circumstances need to be unique and compelling.
- 10.90. 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.
- 10.91. The original planning submission did not fully address this, as the Design and Access statement regarded the original proposal be appropriate within the Green Belt falling within the exemption of "the provision of appropriate facilities (in connection with the

existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”

10.92. The applicant has demonstrated why they need a village hall, which together with officer’s own considerations, demonstrate their case for very special circumstances. These are summarised as follows:

- The village is in need of a community facility. The field and the old village hall have been central to Womersley life for a very long time. Over the past 22 years Womersley has lost its shop, post office, police station, primary school and now the village hall. Residents do not have a pub and haven’t had one since the 1800s and so the community currently have nowhere significant to meet and socialise.
- The hall will create a social hub for the village, so that the community does not need to rely on lifts to and from activities in other villages or towns. This will in turn facilitate increased community cohesion and contribute towards tackling the charities three main objectives:
 - Objective 1: Loneliness & Isolation
 - Objective 2: Youth Provision
 - Objective 3: Sport in Womersley
- The location of the hall on the sport field will allow synergy with the Parish Council run recreational field and allow for a dual use of the recreation area. It will also promote use of the field for outdoor and indoor sport activities.
- The site has to be close enough to the village for residents to use.
- A reasonable sized site is required, and main village is constrained by the Conservation Area and all the land that surrounds it is Green Belt, leaving no opportunity for a new site within the village that isn’t affected by Green Belt.
- Since the old village hall was sold off in 2018, it was always the intention to use the funds to build a new facility. Failure to build might also result in the proceeds from the sale of the old village hall being taken by the Charity Commission and lost to the village.
- The building is well designed, eco-friendly, carbon neutral multi-purpose building.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The proposal would comprise inappropriate development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Some further harm has been identified to openness and purposes of including the land within the Green Belt due to its location. Substantial weight should be given to any harm to the Green Belt.
- 11.2. ‘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. No other harm arising from the proposal has been identified.
- 11.3. In terms of matters weighing in favour of the proposals, the proposed facility will provide an invaluable new community hub for the village on a site that is already in community use. The location will encourage use of the recreation area without compromising its ability to be used in the future for a sports pitch. The area is constrained by Green Belt, which makes the task of finding an alternative site very difficult and the same Green Belt considerations would arise. This site is well located to the village and, apart from some impact on openness and purposes, no other harm has been identified. The amended proposal reduced the amount of land take necessary and provides a building

that can sit comfortably in the corner of the recreational field with existing screening being retained.

- 11.4. Having regard to matters weighing in favour of the proposals, it is considered that cumulatively they would, in this instance, clearly outweigh the harm to the Green Belt by reason of inappropriateness when attributing the substantial weight to such harm so as to amount to very special circumstances to justify inappropriate development within the Green Belt.
- 11.5. In terms of the other planning considerations, the proposal will not impact significantly on the mineral safeguarding area and the design and scale of the building will cause no significant impact on the character and appearance of the area. The siting has limited impact on the adjoining conservation area and it is not considered to disturb any significant archaeology remains. Whilst no contamination assessment was submitted with the application, this can be adequately controlled by condition.
- 11.6. The development of the site poses no harm to the ecological value of the site, however some biodiversity enhancement and management is necessary and controlled by condition. The site lies within Flood Risk 1 and is therefore low risk. The applicants have now committed to a mains drainage connection, which looks to overcome the objection from the Environment Agency on the use of a package treatment plan and surface water is controlled by condition. The construction impacts and residential amenity impacts are also manageable through condition. The proposal is not considered to cause a significant impact to highway safety and through the provision of a new passing place on Cow Lane, a new pedestrian footpath through the recreational area and enhanced visibility splay, highway safety is maintained.
- 11.7. The proposed development would be in accordance with Policies SP1, SP2, SP3, SP13, SP 14, SP15, SP18 and SP19 of the Core Strategy, saved Policies CS 4, ENV1, ENV2, T1 and T2 of the Selby District Local Plan, Policies S01 and S02 of the Joint Minerals Waste Plan and national planning policy contained within the NPPF.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to conditions listed below and the expiration of the outstanding consultation period with no further material planning considerations being raised and the withdrawal of concerns from Yorkshire Water and the Environment Agency. In the event that the outstanding consultation responses raise no new material planning considerations, authority is delegated to the Planning Development Manager to grant this application subject to the imposition of the attached schedule of conditions. That delegation to include the alteration, addition or removal of conditions from that schedule if amendment becomes necessary as a result of continuing negotiations and advice and provided such condition(s) meet the six tests for the imposition of 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:

Location Plan EX0001 A

Site Plan Drawing 05 Rev C
 Proposed Floor Plan and Roof Plan Drawing 01 Rev A
 Proposed Plans and Elevations Drawing 02 Rev A

Reason:
 For the Avoidance of Doubt

03. The materials to be used in the construction of the exterior walls and roof of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before above ground construction of the dwellings commences. Development shall then be carried out in accordance with the approved details.

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

04. Prior to the site preparation and construction work commencing, a scheme to minimise the impact of noise, vibration, dust and dirt on residential property in close proximity to the site, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:
 To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

05. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.

Reason:
 To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

06. There shall be no piling on the site until a schedule of works identifying those plots affected and setting out mitigation measures to protect residents from noise and vibration has been submitted to and approved in writing by the local planning authority. The piling shall thereafter be carried out in accordance with the approved scheme.

Reason:
 To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

07. Prior to the commencement of development, a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP should include details of the biodiversity enhancement measures including specification, location, timing of installation/creation, management of features and document who will be responsible for the various stages.

Reason:
 To ensure the enhancement of biodiversity in accordance with Core Strategy Policy SP18 and the NPPF.

08. Prior to development, 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:

(i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);

(ii) 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;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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.

09. Prior to development, 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.

10. 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.

11. 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.

12. The development must not be brought into use until the access to the site at land at Old School, Cow Lane, Womersley has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The access must be formed with 6 metres radius kerbs, to give a minimum carriageway width of 5 metres, and that part of the access road extending 6 metres into the site must be constructed in accordance with Standard Detail number A1 and the following requirements.

- The footway access must be formed to give a minimum footway width of 2 metres, and it must be constructed in accordance with Standard Detail number A1.
- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- Provision should be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the specification of the Local Highway Authority.
- Measures to enable vehicles to enter and leave the site in a forward gear.
- The creation of a pedestrian access into the site from the southwest of the site.

All works must accord with the approved details.

Reason:

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

13. There must be no access or egress by any vehicles between the highway and the application site at land at Old School, Cow Lane, Womersley until splays are provided giving clear visibility of 89 metres measured along the northeast channel line and 120 metres along the southwestern channel line of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:

In the interests of highway safety.

14. The following schemes of off-site highway mitigation measures must be completed as indicated below:
- Creation of a passing place along the site boundary at Cow Lane prior to construction, location to be agreed.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 – Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason:

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

15. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at land at Old School, Cow Lane, Womersley have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

16. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. restriction on the use of the access for construction purposes;
3. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. details of site working hours;
7. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
8. working areas so as not to damage the wide recreation space.

Reason:

In the interest of public safety and amenity.

17. No development above slab level of the dwellings hereby approved shall commence until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include;
- (a) existing site features proposed to be retained or restored including trees, hedgerows, walls and fences, artefacts and structures
 - (b) proposed finished levels and/or contours
 - (c) proposed grading and mounding of land showing relationship of surrounding land
 - (d) boundary details and means of enclosure
 - (e) car parking layouts
 - (f) other vehicle and pedestrian access and circulation areas
 - (g) hard surfacing layouts and materials
 - (h) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)
 - (i) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.)
 - (k) planting plans
 - (l) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment)
 - (m) schedules of plants noting species, planting sizes, proposed numbers/densities, means of support and protection
 - (n) implementation programme
 - (o) schedule of maintenance and aftercare

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations.

Reason:

In the interests of amenity and in order to comply with Plan Policy ENV1.

18. If, within a period of five years from the date of planting, any tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree within 2 months of being requested to do so by the local planning authority.

Reason:

In the interests of amenity and in order to comply with Plan Policy ENV1.

19. No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.

Reason:

In the interests of amenity and in order to comply with Plan Policy ENV1.

20. Development shall not commence until the Local Planning Authority has approved a scheme for the provision of surface water drainage works. Any such scheme shall be

implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

The following criteria should be considered:

- Any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from “greenfield sites” taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 20% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology.

Reason:

To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

21. Prior to the village hall hereby permitted becoming operational, a schedule of opening times shall be submitted to and approved in writing by the Local planning authority. Once agreed the village hall shall operate in accordance with the approved details throughout the lifetime of the use.

Reason:

To preserve the living conditions of nearby occupiers in accordance with Local Plan Policy ENV 1.

Target Determination Date: 3.8.23 Extension of time agreed.

Case Officer: Gareth Stent, Garethstent@northyorks.gov.uk

Appendix A – Proposed Site Plan - illustrative