

**Officer Update Note**  
**Selby and Ainsty Area Constituency Planning Committee – 13 March 2024**

**Item 4**

<b>APPLICATION NUMBER:</b>	2022/1236/FULM	<b>PARISH:</b>	Sherburn in Elmet
<b>APPLICANT:</b>	Urban Dev (York) Ltd & Karbon Homes Ltd & JGC (1980) Ltd	<b>VALID DATE:</b> <b>EXPIRY DATE:</b>	14.11.2022 20.03.2024
<b>PROPOSAL:</b>	Residential development consisting of 66 dwellings, with associated landscaping and highways, demolition and off-site highways works		
<b>LOCATION:</b>	Land at Garden Lane Sherburn in Elmet		
<b>RECOMMENDATION:</b>	Refuse		

**Footpath Improvements**

To clarify, the proposed footpath improvements on Garden Lane on the frontage heading to the School are stopping prior to No. 72 Garden Lane. The improvement will therefore stop between 70 and 72 Garden Lane which is just before the layby south.

**Development within the “Safeguarded Land” allocation**

During the Committee site visit Officers advised members that two properties had been consented within the SL allocation at a time when the Council did not have a 5 year housing, namely 56 and 58 Garden Lane. Review of the Officers Report for these applications has confirmed that these dwellings was granted in March 2016 through a Committee, and Officers advised “any conflict with Policy SL1 and paragraph 85 of the NPPF would be limited and outweighed by the sustainable location of the proposal and the need to maintain the five year supply of housing land”.

**Representations**

Since the Officers Report was published further three objections have been received on the application, comments have been received from two of these objectors previously, and the third objector has not previously commented on the application.

The comments made can be summarised as follows:

- Development is just not necessary, the village has seen far too much already.
- Access is a narrow lane, used by children and there is a small footpath on only one side of the road.
- Garden Lane is not suitable for such a development and will cause unacceptable traffic congestion on a busy road and result in air pollution
- Impossible to widen the Lane up to the Church Hill exit.
- The increased number of homes will stretch the amenities currently in the village e.g. doctors, schools etc.

All of these matters are already considered in the Officer Report as included in the Agenda.

**Position on Contributions and Recommendation of Officers**

Since the Agenda was published the Applicant has confirmed that they accept the s106 costs as requested for

- Education (£417,935)
- Healthcare (£77,601)

The non-payment of these contributions was the sole recommended reasons for refusal by Officers. In the interests of transparency and robust decision making, Officers request that Members agree to deferral of this application to allow Officers to consider this changed position and report back to a later committee.

**Item 5**

<b>APPLICATION NUMBER:</b>	ZG2023/1153/FUL	<b>PARISH:</b>	Sherburn in Elmet
<b>APPLICANT:</b>	Mr Robert Parkin	<b>VALID DATE:</b> <b>EXPIRY DATE:</b>	06.11.2023 20.03.2.24
<b>PROPOSAL:</b>	Erection of three new detached dwellings with new accesses to Garden Lane		
<b>LOCATION:</b>	Land to the south of 44 Garden Lane, Sherburn in Elmet, Leeds		
<b>RECOMMENDATION:</b>	Refuse		

**Scheme**

Members are advised that there will be an access created to the retained building adjacent to the site, which was pointed out on the Site Visit. This access will run between Plot 3 and 44 Garden Lane to the north of the application site, as shown on shown on Proposed Site Layout Plan Ref. 101978.02 Rev H.

**Officers Report – Points of Clarification**

- Para 5.1 To clarify the latest scheme for the site does not show tree planting as referenced in the report. There will be shrubs and hedgerows on the frontage retained are shown on Proposed Site Layout Plan Ref. 101978.02 Rev H.
- Para 10.9 The reference to Policy SP16 and the need for the development to provide a minimum of 10% of total predicted energy requirements from renewable, low carbon or decentralised energy sources is not relevant to this application as it is under 10 dwellings.
- Para 10.10 Reference is made at this section of the Officers Report to other dwellings on safeguarded land, located to the south of the application site, been granted at a time when the Council did not have a 5 year housing land supply. Namely 56 and 58 Garden Lane, which were pointed out to Committee at the site visit. A review of the consents for

these dwellings was granted in March 2016 through a Committee, and Officers advised “any conflict with Policy SL1 and paragraph 85 of the NPPF would be limited and outweighed by the sustainable location of the proposal and the need to maintain the five year supply of housing land.

### Position on Development on Safeguarded Land and Recommendation of Officers

Officers request that Members agree to deferral of this application to allow Officers to consider this changed position and report back to a later committee.

### Item 6

<b>APPLICATION NUMBER:</b>	ZG2023/0433/FUL	<b>PARISH:</b>	Wistow Parish Council
<b>APPLICANT:</b>	Newett Roberts Ltd	<b>VALID DATE:</b> <b>EXPIRY DATE:</b>	25 April 2023 31 March 2024
<b>PROPOSAL:</b>	Demolition of existing buildings and erection of 9 Dwellings.		
<b>LOCATION:</b>	Plantation House, Cawood Road, Wistow, Selby		
<b>RECOMMENDATION:</b>	Planning Permission be delegated to the Head of Planning Development Management to <b>GRANT</b> subject to a Section 106 or a Unilateral Undertaking to secure a contributions to secure offsite Bio-Diversity Net gain to offset the onsite loss, off-site recreation provision and to secure waste and recycling conditions and subject to the conditions listed		

### Representations

The neighbour to the north of the site at The Cottage has confirmed in writing that they are happy with the revised layout and position of Plot 2 and have withdrawn their objection to the proposal.

### Amendment to conditions

The plan numbers for conditions 2, 12 and 18 are revised as set out below to refer to the latest document and plan versions:

02 The development hereby permitted shall be carried out in complete accordance with the plans/drawings listed below:

- Layout Plan Ref: Z149.002 Rev P
- Site Access Design and Visibility Splays Ref: AMA/21368/SK/005 Rev P03
- Refuse Vehicle Swept Path Analysis Plan Ref: AMA/21368/ATR/003 Rev P04
- Boundary Treatment Plan Ref: Z149.003 Rev F
- Indicative Street Scene Ref: Z149.011 Rev A
- House Type Pack Ref: Z149.009 – 04.03.2024
- Landscape Masterplan Ref: 1421-001 Rev G
- Arboricultural Impacts Plan Rev G
- Tree Protection Plan Rev G

- Flood Risk Assessment and Drainage Strategy (Andrew Moseley Associates) March 2023

12. Notwithstanding the submitted materials plans and House Type Pack Ref: Z149.009 – 04.03.2024, before any work proceeds on Plot 7 above slab level further details shall be submitted for the written approval of the Local Planning Authority for all external materials to Plot 7 including the rear boundary wall and a sample panel erected on site for the external walls and roof materials for inspection. The roof shall be in clay pantile and have mortared verges, no fascia boards and metal gutters and drainpipes to be attached using metal brackets. Thereafter the approved details only shall be used and retained for the lifetime of the dwelling.
- 18 No development shall commence on site before the developer has implemented the submitted (Selwyn Trees AIA Dated 27.2.2024 and Tree Protection Plan Rev H dated 27.2.2024) root protection area(s) (RPA) fencing in line with the requirements of British Standard BS 5837: 2012 (section 6.2.2 figure 2) Trees in Relation to Construction – Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan. The developer shall maintain such fences until all development subject of this permission is completed.