

Officer Update Note
Selby and Ainsty Area Constituency Planning Committee – 14 August 2024

Item 4

APPLICATION NUMBER:	ZG2024/0187/S73	PARISH:	Church Fenton
APPLICANT:	Yorkshire Country Properties	VALID DATE: EXPIRY DATE:	18.03.2024 31.08.2024
PROPOSAL:	Section 73 application to vary conditions 01 (approved plans), 03 (landscaping scheme), 06 (use of land), 07 (boundary treatment) and 08 (emergency access) of approval 2017/0736/REMM Reserved matters application relating to appearance, landscaping, layout and scale for erection of 50 dwellings of approval 2015/0615/OUT for outline application to include access for a residential development granted on 11 June 2021		
LOCATION:	Land south of Main Street, Church Fenton.		
RECOMMENDATION:	GRANT subject to conditions and completion of a Deed of Variation.		

Correction to the report

Parag 10.20- last line - should say 5 x 5-bedroom units not 10 x bedroom units.

Amendments to conditions

Condition 2

The revised scheme indicates on the street scenes that a variety of brick and roofing colours as well as render will be provided. This is important to achieve a less uniform appearance of the scheme as a whole. The materials plan does not reflect this so it is suggested that the materials condition should be amended as follows to ensure this important design feature is implemented. Amended condition as follows;

Notwithstanding the Materials Plan, no development above foundation level shall commence until details of the materials to be used in the construction of the exterior walls, window materials and roofs of the development have been submitted to and approved in writing by the Local planning authority, and only the approved materials shall be used. In addition to the render properties indicated on Plan reference 1331.10 Revision L, the submitted details shall provide for a variety of brick and tile colours across the development. Thereafter only the approved details shall be implemented.

Reason:

In the interests of visual amenity.

Condition 7

The position and type of fencing to the northern boundary adjoining the existing residential dwellings needs to be amended in order to preserve the existing established hedgerow. Although these details were agreed on the previous schemes full landscaping details, this is not reflected in the current plan boundary treatment plan reference 1331.07 revision K which shows a 1.8m feather boarded timber fence along the hedgerow line.

Therefore, it is recommended a further bullet point is added to this condition to require;

- *the submission for approval of the details of the rear boundary treatment along the northern boundary of the site for plots 39-50 which would ensure the retention and health of the existing boundary hedging.*

Condition 9

The Construction Management conditions was previously discharged but a revised Construction Management Plan was submitted for this scheme as part of the amended design package. It is advised that the original condition on the appeal decision is re-imposed so that this can be fully considered. The applicants have agreed this.

Condition 9 should therefore be re-worded as follows;

No development shall commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local planning authority. Construction of the development must be undertaken in accordance with the approved Construction Management Plan. The Plan shall address the following:

- *Measures to protect the existing hedging and trees on the site.*
- *Details of any temporary construction access to the site including measures for its removal following completion of construction works.*
- *Restriction on the use of Main Street, Church Fenton for access for construction purposes.*
- *Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the public highway.*
- *Arrangements for the parking of contractors' operatives and visitors' vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction).*
- *Areas for storage of plant and materials used in constructing the development clear of the highway.*

- *Measures to manage the delivery of materials and plant to the site including timing of deliveries and loading and unloading areas and arrangements to receive abnormal loads or unusually large vehicles.*
- *Measures to protect vulnerable road users (cyclists and pedestrians).*
- *Measures to protect users of the public rights of way.*
- *Protection of carriageway and footway users at all times during demolition and construction.*
- *Protection of contractors working adjacent to the highway.*
- *Details of site working hours.*
- *Erection and maintenance of hoardings including any decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate.*
- *Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.*
- *Measures to control and monitor construction noise.*
- *Arrangements to prevent burning of materials on site at any time during construction.*
- *Removal of materials from the site including a scheme for recycling/disposing of waste resulting from construction works.*
- *Details of external lighting equipment.*
- *A detailed method statement and programme for the building works; and contact details for the responsible person (site manager/office) who can be contacted in the event of any issue and a 24 hour emergency contact number.*

Reason: To protect the amenity and safety of local residents.

Additional Condition

The detailed features such as bay windows, chimneys, porches etc also add interest and variation. The LPA need to ensure these features are actually constructed and the dwellings are not left unfinished with these features missing which could reduce them back to standard house types and a more uniform development. Therefore, an additional condition is advised to ensure these the dwellings are completed in full accordance with the agreed design details and not left unfinished with features missing.

Each dwelling shall not be occupied until they are fully constructed and completed in accordance with the submitted plans including all additional design features such as chimneys, porches, gables, bay window features, headers, cills, doors, eaves courses and boundary treatments.

Reason

In the interests of visual amenity

Item 5

Further comments from Carlton Parish Council and five individual objectors have been received which:

- agree with Natural England's stance on the application
- and repeat previous objections or reiterate those made by other objectors, which are already covered in the report.

They do not change the recommendation.