

# Westlands Nursery Application

Dear Ellerker Resident,

Below are some details regarding the impending Westlands application. There follows instructions regarding how to object both in writing and via email. A sample objection letter is also included. If you feel you wish to object to this application please lodge your objection **AS SOON AS YOU CAN**. The new deadline for objections is **11<sup>th</sup> September 2017**.

**Please note: This is not a normal planning application!**

***Normal planning objection rules / processes do not apply in this case!***

**However, it will still be important to let our feelings be known to the Planning Authority.**

This is an application for a "lawful development certificate" for a proposed use or development. The owner is allowed to change use but *must prove within the use classes order that he satisfies requirements needed for his proposed development.*

To lodge an objection, it is necessary to write/email to the ERYC Planning Department.

**Email:** [beverley.dc@eastriding.gov.uk](mailto:beverley.dc@eastriding.gov.uk)

**Mail:** Mr Thomas Booth-Robinson, Principle Development Management Officer, East Riding of Yorkshire Council, County Hall, Beverley, East Riding of Yorkshire, HU17 9BA.

**Web:** <https://newplanningaccess.eastriding.gov.uk/newplanningaccess/> (You need to register).

**Application Number:** PLAN/17/02368/CLP

**Address:** Westlands, Sands Lane, Ellerker, HU15 2DR

(You must include the application number & address in your correspondence).

As this is an application for a Material Change of Use you do not need to get too involved in what is proposed to be put on the land. You may comment if you wish but the most important factor is **to object to any change of use away from agricultural land**. You should also include an objection on the grounds that this is **not in accordance with the current East Riding Local Plan** which allocates development sites up to 2029 - you can view this plan here on the East Riding website - <http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/what-is-the-east-riding-local-plan/> - We can also stress material changes to open countryside.

These notes (below) are for the sole purpose of explaining the concept of material considerations for those wishing to use them.

## **Examples of material considerations (issues that that the planning officer CAN take into account when considering the application)**

Planning history of the site e.g. what has been its historical use - Overlooking and loss of privacy - Adequate parking and servicing - Overbearing nature of the proposal - Loss of trees - Loss of ecological habitats - Contamination by previous use - Effect on listed buildings or nearby conservation areas - Access and highway safety - Traffic generation - Noise and disturbance from the scheme - Disturbance from smells - Public visual amenity - Flood risk - Planning gain - Cumulative impact and sustainability i.e. lack of facilities

## **Examples of matters that may NOT be considered as material**

(Any letter of objection should not include matters from this list).

Loss of value to an individual - Loss of view - Boundary disputes - Private covenants or agreements - The applicants personal conduct or history - The applicants' motives - Potential profits private rights of light or way - Damage to property - Loss of trade - Time taken to do the work - Age / health status / background of the objector - Matters covered by other statutes - Alcohol or gaming license

Thank you.

Ellerker Parish Council

[Example Letter Overleaf]

**Mr Thomas Booth-Robinson,  
Principle Development Management Officer,  
East Riding of Yorkshire Council,  
County Hall,  
Beverley,  
East Riding of Yorkshire,  
HU17 9BA.**

Date: *(Insert date)*

Dear Mr Booth-Robinson,

**Re: Westlands Nursery, Sands Lane Ellerker, HU15 2DR**

**Application No: PLAN/17/02368/CLP**

I object to the above application on the grounds that the applicant is seeking to change use of this property away from its current use as agricultural land.

This proposed change is not in accordance with the adopted East Riding Local Plan for additional housing which includes no site allocations for Ellerker.

It will detrimentally affect the open countryside which is adjacent to a nature reserve and a conservation area. The noise generated will disturb breeding birds and livestock.

This scheme will also generate a significant increase in noise and traffic on a single-track lane which will create access and safety issues as this lane is currently heavily used by farm traffic, livestock moving from field to field, equestrians and walkers. There is also a lack of sewer capacity in the local area and the proposed development is on land which regularly floods.

Due to these reasons, I urge you to deny permission for change of use away from agricultural use.

Yours sincerely,

(Residents' name & address)