



# Record of Decisions

## CEO Urgent Decision Session - Planning

Venue: Chief Executive's Office  
Date: Wednesday, 8 April 2020  
Time: 9.00 am

Officers Present: Janet Waggott - Chief Executive, Martin Grainger - Head of  
Remotely via Teams: Planning, Ruth Hardingham - Planning Development  
Manager, Glenn Sharpe - Solicitor, Victoria Foreman  
Democratic Services Officer, Gareth Stent – Principal  
Planning Officer, Bethany Harrison – Planning Officer,  
Rebecca Leggott – Senior Planning Officer, Chris Fairchild  
– Senior Planning Officer

### 2 PLANNING APPLICATIONS RECEIVED

#### 2.1 2019/0663/FUL: FIELDS GARDEN CENTRE, TADCASTER ROAD, SHERBURN IN ELMET

**Location:** 2019/0663/FUL – Fields Garden Centre,  
Tadcaster Road, Sherburn in Elmet

**Proposal:** Conversion of former glass house including  
recladding to provide extension to tearoom extending  
covers to 66 in total, retention of terrace and its use as  
outdoor seating area/plant sales area, extension to  
existing car park to provide overflow and formation of  
children's play area

The application had been brought before the Chief  
Executive for consideration under urgency as 16 letters  
of representation had been received which raised  
material planning considerations, and Officers would  
otherwise determine the application contrary to these  
representations.

Officers presented the application to the Chief Executive  
who noted that it was for the conversion of former glass  
house including recladding to provide extension to  
tearoom, extending covers to 66 in total, retention of the  
terrace and its use as outdoor seating area/plant sales

area, extension to the existing car park to provide overflow, and formation of children's play area,

In relation to the Officer Update note, an additional letter of support had been received; Officers confirmed that the comments in the letter reiterated those already described in the report.

As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making.

Comments had been received from some Members of the Planning Committee expressing their support for the scheme, who felt that it was an asset to the village, created local employment, the car park was better than main road parking, the facility was used by families and provided a safe environment, it was the renovation of a derelict site, used by walkers and cyclists as meeting place and filled the gap in facilities for the village.

Some Members had not commented on the application as they visited the Garden Centre on a regular basis.

The Chief Executive noted that the applicants had withdrawn the element of the application that requested permission for the opening hours to be extended to 11.00pm; operation hours imposed as a result of the 2017 permission were reiterated, i.e. 5pm close. This amendment overcame the concerns raised by Environmental Health about the application.

The Chief Executive, having considered the report, Officer Update Note and representations from Members and Officers in full, confirmed that she agreed with the Officer's recommendation to grant the application.

**RESOLVED:**

**To GRANT the application, subject to the conditions at paragraph 7 of the report.**

**2.2 2019/1340/FULM: BROCKLESBY BUILDING PRODUCTS LTD, UNIT 1, LONG LANE, GREAT HECK**

**Location:** 2019/1340/FUL – Brocklesby Building Products Ltd., Unit 1, Long Lane, Great Heck

**Proposal:** Proposed change of use of existing maintenance and vehicle processing building to include

block cutting and processing, erection of 6m high CCTV pole, erection of replacement dry dust silo, erect new gates, change existing fencing to concrete fencing and improve HGV parking on site by increasing the areas in which they can park on the existing site

The application had been brought before the Chief Executive for consideration under urgency as 18 letters of representation had been received which raised material planning considerations and Officers would otherwise have determined the application contrary to these representations.

Officers presented the application to the Chief Executive who noted that it was for a proposed change of use of existing maintenance and vehicle processing building to include block cutting and processing, erection of 6m high CCTV pole, erection of replacement dry dust silo, erection of new gates, change to existing fencing to concrete fencing and improvements to HGV parking on site by increasing the areas in which they could park on the existing site.

The Chief Executive noted that late representations had been received from Heck Parish Council.

As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making.

Comments had been received from some Members of the Planning Committee, who felt that it was important that the conditions as set out in the application be strictly adhered to, and that local residents' concerns regarding the existing waste on the site remained an issue.

Some Members felt that further consideration should be given to boundary treatments given the prominence and openness of the site in the countryside location, and due to the visibility of the site from the M62; boundary treatment conditions were suggested.

Officers did not consider boundary treatment necessary as the site was screened from the M62 by a bund and conifers; some conifers would be lost, but this was not considered significant. The new structure was not higher than the host building and would be viewed against the backdrop of the existing site. The remainder of the site was walled, and any landscaping would have to take

place outside the site because of hard surfacing within the site.

The Chief Executive acknowledged that the site had a complex history, and was advised by the Solicitor that Condition 6 as set out in the report was sufficient to control lorry routing from the site; it was not felt that any additional planning obligations were required.

The Chief Executive, having considered the report and representations from Members and Officers confirmed that she agreed with the Officer's recommendation to grant the application.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report**

**2.3 2019/1172/FUL: DIVISIONAL POLICE HEADQUARTERS, STATION ROAD, TADCASTER**

**Location:** 2019/1172/FUL – Divisional Police Headquarters, Station Road, Tadcaster

**Proposal:** Proposed installation of 2.4m Securifor, heavy weldmesh panel fencing. Including pedestrian and vehicle access gates

The application had been brought before the Chief Executive for consideration under urgency as 14 letters of representation had been received which raised material planning considerations, and Officers would otherwise determine the application contrary to these representations.

Officers presented the application to the Chief Executive who noted that it was for the installation of 2.4m Securifor, heavy weldmesh panel fencing. Including pedestrian and vehicle access gates.

As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making. Members had expressed their support for the Officer's recommendation but that it should have been a delegated decision.

The Chief Executive, having considered the report and representations from Members and Officers in full, confirmed that she agreed with the Officer's

recommendation to grant the application.

**RESOLVED:**

**To GRANT the application subject to the conditions set out at paragraph 7 of the report.**

**2.4 2019/1310/FUL: HALL FARM, BUTTS LANE, LUMBY**

**Location:** 2019/1310/FUL – Hall Farm, Butts Lane, Lumby

**Proposal:** Proposed conversion of agricultural barn buildings into three residential dwellings and necessary associated operational and remedial works

The application had been brought before the Chief Executive for consideration under urgency as it was a as a departure from the development plan, namely Selby District Local Plan Policy H12.

Officers presented the application to the Chief Executive who noted that it was for the conversion of agricultural barn buildings into three residential dwellings and necessary associated operational and remedial works.

As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making. Members had expressed their support for the Officer's recommendation.

The Chief Executive queried the number of conditions attached to the application, but was reassured by Officers that these had been carefully considered and it was felt that they were all necessary, relevant and appropriate to the scheme.

The Chief Executive, having considered the report and representations from Members and Officers confirmed that she agreed with the Officer's recommendation to grant the application.

**RESOLVED:**

**To GRANT the application subject to the conditions set out in paragraph 6 of the report.**

**PLEASE NOTE: THE DECISION ON THE FOLLOWING APPLICATION (2019/0941/FULM - SELBY DISTRICT COUNCIL OLD CIVIC CENTRE, PORTHOLME ROAD, SELBY) WAS TAKEN BY THE HEAD OF PLANNING.**

**2.5 2019/0941/FULM: SELBY DISTRICT COUNCIL - OLD CIVIC CENTRE, PORTHOLME ROAD, SELBY**

***NOTE: The Chief Executive and the Planning Development Manager did not take part in this part of the remote meeting, or the discussion or decision on this item.***

**Location:** 2019/0941/FULM – Selby District Council – Old Civic Centre, Portholme Road, Selby

**Proposal:** Proposed redevelopment of site to provide 154 residential units (Use Class C3), construction of new vehicular access onto Portholme Road and laying out of open space

The application had been brought before the Head of Planning for consideration under urgency as Selby District Council was a landowner for part of the site.

Officers presented the application to the Head of Planning who noted that it was for the proposed redevelopment of the site to provide 154 residential units (Use Class C3), construction of new vehicular access onto Portholme Road and laying out of open space.

In relation to the Officer Update note it was noted that there was a typo at paragraph 2.9, which had been amended to state that:

“The Conservation Officer provided comments verbally in that there are no objections to the proposed development.”

Additionally, a condition had been added requesting details of electric vehicle charging points, and comments had been received from North Yorkshire County Council Highways regarding the report, confirming that it “...makes the County Council position clear.”

As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making.

Comments had been received from some Members, expressing their concerns about the scheme, specifically inadequate open space, the un-adopted road network contrary to the Local Highway Authority’s advice, the impact on ecology and the overall loss of trees,

Conservation Officer objections, landscape objections, Network Rail issues, overdevelopment of the site, lack of neighbour notification from the applicant including site notices, the lack of garages and electric vehicle charging points, the impact on local schools and the lack of affordable housing provision, specifically affordable rent.

Some Members had also commented that the decision should not be made through delegated powers.

Officers had considered Members' comments and in response explained to the Head of Planning that the highway layout was confirmed to be safe internally and externally by a suitably qualified expert to be safe and provide sufficient parking.

Network Rail's comments confirmed that there were no objections subject to conditions, which had been attached.

In relation to overdevelopment, the site was brownfield within an urban setting, and therefore the density was justified. The concerns regarding the lack of open space were addressed by the Officer who explained that the site was adjacent a playing field, therefore the lower level of open space provided on site was justified. Officers confirmed that site notices were erected.

With reference to the provision of affordable housing, this was concluded via negotiations having taken into account the viability of the site.

Planning permission was not required to remove the trees on the site, and further details regarding landscaping and trees had been requested via conditions which the relevant Officers would be consulted on.

The Conservation Officer had raised no objections, the appropriate funding could be given through a Community Infrastructure Levy (CIL) via the Council's CIL Officer.

In terms of the decision being taken through delegated powers, Officers stated that this was a legal matter.

The Head of Planning asked Officers a number of questions about the application, relating to comments from the Urban Design Team, open space, the function and maintenance of the proposed 'pocket park', the impact on trees and biodiversity, affordable housing provision and viability, the adoptability of roads and

comments from the Council's Housing Team.

The Solicitor confirmed that the matters to be covered by the Section 106 Agreement were acceptable and that at present the land was still in the ownership of Selby District Council, which would affect the formulation of the Section 106 as the Council could not effectively go into a covenant with itself.

The Head of Planning stated that the scheme was complex and as a result he would like some more information on a number of matters before taking a decision, specifically clarity from the Urban Design Team on their views, details on the use of the 'pocket park' and outside space, the loss of trees and landscaping, further comments on from the Housing Strategy Team on the tenures offered, the adoptability standards of the roads in the development and more detail on the Section 106 Agreement.

As a result the Head of Planning, having considered the report, Officer Update Note and representations from Members and Officers in full, resolved to defer the application to a later date, in order for the additional information as requested to be gathered by Officers.

**RESOLVED:**

**To DEFER consideration of the application in order for Officers to gather further information on the following matters:**

- **Clarity of position from the Urban Design Team;**
- **More detail on the provision of outside space, i.e. the pocket park;**
- **The loss of trees and related landscaping matters;**
- **Further comments from the Council's Strategic Housing Team on the tenure being offered;**
- **Ensuring that the roads in the scheme are as close to an adoptable standard as possible; and**
- **Additional details relating to a potential Section 106 agreement and planning obligations.**

The meeting closed at 11.02 am.