



# Record of Decisions

## CEO Urgent Decision Session - Planning

Venue: Chief Executive's Office  
Date: Wednesday, 10 June 2020  
Time: 9.00 am

Officers Present remotely via Teams: Janet Waggott - Chief Executive, Martin Grainger - Head of Planning, Ruth Hardingham - Planning Development Manager, Glenn Sharpe - Solicitor, Chris Fairchild – Senior Planning Officer, Victoria Foreman – Democratic Services Officer

### 10 PLANNING APPLICATIONS RECEIVED

#### 10.1 2019/1318/COU: NORTH HOUSE FARM, OXTON LANE, BOLTON PERCY

**Location:** 2019/1318/COU – North House Farm, Oxtan Lane, Bolton Percy

**Proposal:** Change of use of barn to tearoom (excluding associated extension/alterations) (retrospective), change of use of former tea room back to domestic use (retrospective) and proposed change of use of land to form an extension to the existing car park.

The matter had been brought to the Chief Executive for consideration under urgency as the applicant was a relation of a Council Member.

Officers presented the application to the Chief Executive who noted that it was for the change of use of barn to tearoom (excluding associated extension/alterations) (retrospective), change of use of former tea room back to domestic use (retrospective) and proposed change of use of land to form an extension to the existing car park.

An Officer Update Note had been circulated prior to the meeting containing additional information about the Listed Building consent, car park extension and conditions. It also addressed concerns raised by some

Members that had been submitted as part of the decision-making process. Members were consulted on the application, and the resulting comments had been collated and presented to the Chief Executive prior to the meeting.

Officers explained that the extent of the works within the planning application under consideration did not need listed building consent, but that it was the case that listed building consent was necessary to retrospectively regularise works that had already taken place at the site. A valid and extant application to do so remained with Officers for determination. However, given the differing position of the Council and the agent, in order to determine the listed building consent application both parties had agreed that a joint visit to the site was necessary, but under the current Covid-19 restrictions such a visit was not possible at present.

Regarding the car park extension, comments had been made that the car park was within the Conservation Area; this was not the case, although it was both immediately adjoining and within the setting of it. The scale of this extension was proportionate to the proposed tearoom extension and would alleviate existing inappropriate on-street parking by visitors. This would lessen the need for physical restrictions, which when considered from a heritage perspective would have a greater impact upon the Conservation Area and Listed Building than the appropriately scaled car park extension.

The Chief Executive noted that comments had been received from Members regarding the timing and sequencing of conditions, with particular concern that the tea-room could commence without car park improvements being in place. Officers agreed that there could be an instance in which the applicants either delayed or did not complete the car park extensions whilst the tea room continued to trade at a larger scale than previously permitted, and therefore an additional condition had been recommended to ensure this instance did not occur.

Officers explained that the agent for the application had raised a query in relation to the wording of Condition 1 (timescales), that the retrospective and non-retrospective elements should be addressed differently, noting that both changes of use had already commenced. As a result, Condition 1 had been amended accordingly.

Lastly, a query regarding the description of development had been raised by the agent, which again related to ensuring that each element of the application was precisely identified as either retrospective or not. Officers had agreed that this provided greater precision and therefore the description of development had been amended.

The Solicitor and other Officers confirmed that they had no further comments on the application.

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

**RESOLVED:**

**That the application be GRANTED subject to the conditions and informatives set out in the report and the Officer Update Note.**

The meeting closed at 9.41 am.