

## Chief Executive Officer Urgent Decision Session – Planning: Decision Record

<b>Planning Application:</b>	2019/0941/FULM – Selby District Council – Old Civic Centre, Portholme Road, Selby
<b>Decision Maker:</b>	Martin Grainger, Head of Planning
<b>Other Officers Present at Remote Meeting:</b>	Martin Grainger - Head of Planning, Rebecca Leggott - Senior Planning Officer, Glenn Sharpe - Solicitor and Victoria Foreman - Democratic Services Officer
<b>Title of Decision:</b>	CEO Urgent Decision Session – Planning: 2019/0941/FULM – Selby District Council – Old Civic Centre, Portholme Road, Selby
<b>Ward(s):</b>	Selby East
<b>Type of Decision:</b>	<input type="checkbox"/> Key decision  <input type="checkbox"/> Non key decision discharging (or connected to the discharge of) an Executive function  <input checked="" type="checkbox"/> Specific delegation from Council or Committee  <input type="checkbox"/> Grant of permission / licence  <input type="checkbox"/> Affecting the rights of an individual  <input type="checkbox"/> Awarding a contract or incurring expenditure which materially affects the financial position of the Council  <input checked="" type="checkbox"/> Decision under urgency
<b>Details of decision:</b>	<p><b>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.</b></p> <p><b>Location:</b> 2019/0941/FULM – Selby District Council – Old Civic Centre, Portholme Road, Selby</p> <p><b>Proposal:</b> 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</p>

	<p>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.</p> <p>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.</p> <p>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:</p> <p>“The Conservation Officer provided comments verbally in that there are no objections to the proposed development.”</p> <p>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.”</p> <p>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.</p> <p>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.</p> <p>Some Members had also commented that the decision should not be made through delegated powers.</p> <p>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.</p> <p>Network Rail’s comments confirmed that there were no objections subject to conditions, which had been attached.</p> <p>In relation to overdevelopment, the site was brownfield within an urban setting, and therefore the density was justified. The concerns</p>
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	<p>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.</p> <p>With reference to the provision of affordable housing, this was concluded via negotiations having taken into account the viability of the site.</p> <p>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.</p> <p>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.</p> <p>In terms of the decision being taken through delegated powers, Officers stated that this was a legal matter.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<b>Resolution:</b>	<b>RESOLVED:</b>

	<p>To DEFER consideration of the application in order for Officers to gather further information on the following matters:</p> <ul style="list-style-type: none"> <li>• Clarity of position from the Urban Design Team;</li> <li>• More detail on the provision of outside space, i.e. the pocket park;</li> <li>• The loss of trees and related landscaping matters;</li> <li>• Further comments from the Council's Strategic Housing Team on the tenure being offered;</li> <li>• Ensuring that the roads in the scheme are as close to an adoptable standard as possible; and</li> <li>• Additional details relating to a potential Section 106 agreement and planning obligations.</li> </ul>
<b>Contact details for further information:</b>	<p>Planning Officer: Rebecca Leggott, Senior Planning Officer  <a href="mailto:rleggott@selby.gov.uk">rleggott@selby.gov.uk</a></p>
<b>Signed:</b>	<p><b><i>Signature redacted</i></b></p> <p>Martin Grainger, Head of Planning</p>
<b>Date of Decision:</b>	<p>8 April 2020</p>