

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

<b>Planning Application:</b>	2018/1116/DOV – Warehousing Depot, Station Road, Hambleton
<b>Decision Maker:</b>	Janet Waggott, Chief Executive
<b>Other Officers Present at Remote Meeting:</b>	Martin Grainger - Head of Planning, Ruth Hardingham - Planning Development Manager, Jenny Tyreman - Senior Planning Officer, Glenn Sharpe - Solicitor and Victoria Foreman - Democratic Services Officer
<b>Title of Decision:</b>	CEO Urgent Decision Session – Planning: 2018/1116/DOV – Warehousing Depot, Station Road, Hambleton
<b>Ward(s):</b>	Hambleton
<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>Location:</b> 2018/1116/DOV – Warehousing Depot, Station Road, Hambleton</p> <p><b>Proposal:</b> Request for a Deed of Variation to a Section 106 agreement seeking the payment of a commuted sum to be used towards: (1) the provision of a children's play area and play equipment elsewhere in Hambleton; and/or (2) the enhancement of existing areas of recreational open space in Hambleton; in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL for residential</p>

	<p>development comprising of 89 (2 storey and 2 1/2 storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road</p> <p>The matter had been brought back to the Chief Executive for consideration under urgency following consideration at the 7 November 2018 Planning Committee meeting, where the applicants sought a Deed of Variation to the original Section 106 agreement seeking the payment of a commuted sum to be used towards the provision of a children's play area and play equipment elsewhere in Hambleton, in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL. Members resolved to approve the request for a Deed of Variation and delegate authority to Officers to complete a Deed in accordance with the application. This variation was to be time limited for a period of 3 years from the date of the decision.</p> <p>Officers presented the application to the Chief Executive who noted the details of the request for a Deed of Variation to a Section 106 payment.</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 of the Planning Committee expressing their support for the application, and a query raised about consultation of the Parish Council on the matter. Officers explained that the Parish Council were consulted on the Deed of Variation at the time it was submitted and had raised no objections. The Parish Council also supported the commuted sum being used to provide play facilities in the Hambleton area, which would still be the case with the revised recommendation.</p> <p>The Chief Executive suggested that the Scheme of Delegation in the Council's Constitution could be looked at in the future, as decisions on Deeds of Variation may be better considered by Officers under delegated powers.</p> <p>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 approve the Deed of Variation.</p>
<p><b>Resolution:</b></p>	<p><b>RESOLVED:</b></p> <p><b>To APPROVE the request for a Deed of Variation, with delegation being given to Officers to complete a Deed of Variation to the original Section 106 agreement to allow the payment of a commuted sum to be used towards: (1) the</b></p>

	<p>provision of a children's play area and play equipment elsewhere in Hambleton; and/or (2) the enhancement of existing areas of recreational open space in Hambleton; in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL for residential development comprising of 89 (2 storey and 2 1/2 storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road.</p>
<p><b>Contact details for further information:</b></p>	<p>Planning Officer: Jenny Tyreman, Senior Planning Officer  <a href="mailto:ityreman@selby.gov.uk">ityreman@selby.gov.uk</a></p>
<p><b>Signed:</b></p>	<p><i>Janet Waggott</i></p> <p>Janet Waggott, Chief Executive</p>
<p><b>Date of Decision:</b></p>	<p>16 April 2020</p>