

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

<b>Planning Application:</b>	2020/0016/S73 – Quarry Drop, Westfield Lane, South Milford
<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: 2020/0016/S73 – Quarry Drop, Westfield Lane, South Milford
<b>Ward(s):</b>	South Milford
<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> 2020/0016/S73 – Quarry Drop, Westfield Lane, South Milford</p> <p><b>Proposal:</b> Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house</p> <p>The matter had been brought to the Chief Executive for consideration under urgency at the discretion of the Head of Planning.</p>

Officers presented the application to the Chief Executive who noted that it was a Section 73 application to vary condition 04 (approved plans) of planning permission 2010/0507/FUL for construction of a five-bedroom, three storey detached house.

Officers explained that the application had been made under Section 73 of the Town and Country Planning Act 1990 and the proposal sought to vary Condition 4 (Drawings) of planning permission reference 2010/0507/FUL for the construction of a five bedroom, three storey detached house. The changes proposed under this Section 73 application were: (1) the creation of a raised amenity area between the south elevation and Westfield Lane; (2) the alteration to the footprint of the dwelling at ground, first floor and second floor; (3) alterations to fenestration in all elevations of the building and the eastern roof slope; (4) the addition of more photovoltaics to the roof slopes of the dwelling; (5) the increase in the height of the dwelling by approximately 0.8 metres; and (6) the inclusion of materials to be used in the external construction of the dwelling shown on the submitted plans.

Officers had assessed the application and believed that the changes were acceptable, but that a condition restricting the construction hours should be added.

An Officer Update Note had been circulated prior to the meeting as two further letters of representation had been received from neighbouring properties, objecting to the application and raising a number of additional points. These points included the increased height of the building, potential enforcement action on previous permissions, changes to the footprint of the building, fence height, floor levels, access, conditions and non-submission of drawings and plans by the applicant.

Officers addressed each point, as set out in the Officer Update Note. The Chief Executive acknowledged the Officer responses to the concerns of the objectors and the historical complexity of the site and case history.

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 Officer's recommendation that the application be granted.

The Chief Executive noted that the condition specifying materials had been removed as it had already been included in the details of the application and were now shown on the plans.

The Solicitor confirmed that he had no concerns relating to the

	<p>application, and that the conditions attached were lawful and enforceable.</p> <p>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</p>
<b>Resolution:</b>	<p><b>RESOLVED:</b></p> <p><b>That the application be GRANTED subject to the conditions set out at paragraph 7 of the report.</b></p>
<b>Contact details for further information:</b>	<p>Planning Officer: Jenny Tyreman, Senior Planning Officer  <a href="mailto:jtyreman@selby.gov.uk">jtyreman@selby.gov.uk</a></p>
<b>Signed:</b>	<p><i>Janet Waggott</i></p> <p>Janet Waggott, Chief Executive</p>
<b>Date of Decision:</b>	<p>6 May 2020</p>