

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

<b>Planning Application:</b>	2020/0366/FUL – Birchwood Lodge, Market Weighton Road, Barlby
<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, Rebecca Leggott - Senior Planning Officer, Glenn Sharpe - Solicitor and Victoria Foreman - Democratic Services Officer
<b>Title of Decision:</b>	CEO Urgent Decision Session – 2020/0366/FUL – Birchwood Lodge, Market Weighton Road, Barlby
<b>Ward(s):</b>	Derwent
<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> 2020/0366/FUL – Birchwood Lodge, Market Weighton Road, Barlby</p> <p><b>Proposal:</b> Erection of research and development building to replace an existing store building</p> <p>The matter had been brought to the Chief Executive for consideration under urgency as the application had been called in by Ward Councillor Karl Arthur, due to concerns over the impact on the residential amenity of neighbouring occupiers. The application</p>

had been deferred from the CEO Urgent Decision Session on 27 May 2020 to allow for the expiry of the consultation period and consideration of any additional responses received.

Officers presented the application to the Chief Executive who noted that it was for the erection of a research and development building to replace an existing store building.

An Officer Update Note had been circulated prior to the meeting containing additional comments from Barlby and Osgodby Parish Council.

The Parish Council had raised concerns about the proposed development, specifically in relation to enforcement issues on site, and concerns around pollution, noise nuisance, visual impact of the proposals and hours of operation of the business.

The Parish Council objected to the proposed development unless the outstanding enforcement issues were resolved and an Environmental Impact Assessment carried out. It was noted that the Parish Council had commented that they would generally support local employment and electric vehicles but considered that these issues were unproven.

Officers confirmed that the comments from the Parish Council would not alter the assessment made in the report.

The Solicitor stated that the legal criteria that set out whether an Environmental Impact Assessment should be undertaken was specific and detailed. The application under consideration would not be considered an exceptional enough case to justify an Environmental Impact Assessment, and as such there was no lawful reason for one to be carried out.

The Chief Executive noted that the existing enforcement matters on the site were not relevant to the application under consideration and were already subject to other controls and processes. The Solicitor confirmed that any enforcement breaches on the site in the past should be separated from the assessment of the current application.

As part of the decision-making process Members had been consulted on the application. These comments were collated and presented to the Chief Executive as part of the decision making. Comments had been received from some Members of the Planning Committee and the Ward Members.

Some Members had expressed their agreement with the Officer's recommendation of approval, whilst also suggesting that the fence along the southern boundary be strengthened to reduce the impact

of noise from the site, and that and a noise assessment should be undertaken. Members had noted that whilst objections had been raised in respect of noise, at both Committee site visits it had been clear that the biggest source of noise was from traffic on the A163. Questions had also been raised around the flight logs and the level of detail provided by objectors.

Other Members had concerns that the rural site was becoming increasingly industrialised, beyond what was originally intended, and the subsequent impact of this on local residents. It was also felt by some Members that the application should be determined by the Planning Committee.

No additional comments had been received from the Ward Members since consideration of the application at the previous week's CEO Urgent Decision Session.

Officers acknowledged the concerns that had been raised and addressed them in turn. With regards to previous permissions and planning enforcement, these were not relevant to the determination of the application. Officers had reviewed and determined the application on its own merits.

In terms of design and impact on the open countryside, the proposals were set within a cluster of existing buildings with limited views (if any) from the surrounding area.

Residential amenity was addressed by explaining that the proposals were for a research and development building set within a cluster of existing buildings. There were not considered to be any noise impacts associated with this building, and flightlogs were not to be considered as any application relating to the runway was separate from the present scheme.

The Chief Executive noted that the building was set over 100m away from any residential property and as such, the proposals were not considered to have any adverse impacts of overlooking, overshadowing, overbearing or health of neighbours.

Officers gave details of the economic benefits of the scheme, as the proposals would create 10 new jobs and support an existing business. This would keep the company in the Selby district, therefore having a positive economic benefit. Whether the proposed employees would live in the district was not a material planning consideration.

Lastly, Officers addressed concerns around the natural environment. North Yorkshire County Council Ecology had been consulted on the application and had raised no objections. The proposals would replace an existing building and would be located

	<p>in a cluster of existing buildings, therefore having no adverse impacts on the natural environment.</p> <p>The Solicitor and other Officers confirmed that they had no further comments on the application.</p> <p>The Chief Executive, having considered the report, the Officer Update Note and representations from Members and Officers in full, confirmed that she was content with the additional information that had been presented to her and would therefore support the Officer's recommendation to grant permission.</p>
<b>Resolution:</b>	<p><b>RESOLVED:</b></p> <p><b>That the application be GRANTED subject to the conditions set out in the report.</b></p>
<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><i>Janet Waggott</i></p> <p>Janet Waggott, Chief Executive</p>
<b>Date of Decision:</b>	<p>3 June 2020</p>