

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: Planning application for the purpose the variation of condition no's 1, 2 & 20 of planning permission ref. C6/500/63J/CMA for the continuation of waste disposal operations for a further 6 years from 31 December 2018 until 31 December 2024 with a further year for restoration, to amend the final restoration levels across the site and to amend the final restoration scheme for the southern part of the site on land at Allerton Park Landfill on behalf of FCC Environment

This record is produced in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This form should be used to record:

- **EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and**
- **EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)**
- **A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-**
 - (i) **under a specific express authorisation; or**
 - (ii) **under a general authorisation to officers to take such decisions and, the effect of the decision is to**
 - **grant a permission or licence;**
 - **affect the rights of an individual; or**
 - **award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.**

(One form per decision)

The following decision has been taken: -

That PLANNING PERMISSION BE GRANTED subject to the conditions as set out within the published Officer Report as amended solely in respect of condition no.20 at the consultation meeting of the Members of the County Council's Planning & Regulatory Functions Committee on the morning of Tuesday 31st March 2020 which now reads as follows:

Amended Condition No. 20 (amendments shown in **yellow highlight**)

Within 6 months of the date of this decision, a *Detailed Landscaping Scheme and After-care Management Plan including an implementation programme and schedule of maintenance and 'after-care'* for a minimum period of five years from final restoration of an individual Phase shall first be submitted and agreed in writing with the County Planning Authority. Where a Phase has already been restored, the period of 'after-care' shall be deemed to commence on the date of this decision and shall run for five years thereafter. The scheme of landscaping and aftercare shall include long term design and habitat objectives, method statements for site preparation and establishment of key habitats, management responsibilities and maintenance schedules and provide a combination of good quality habitat creation on the restored landfill and ensure long-term sympathetic management of the retained area. The scheme shall also include details and provision for:

- i) soil preparation;
- ii) application of fertiliser;
- iii) sowing and establishment of green cover;
- iv) tree hedgerow and scrub planting, inclusive of sources, species, sizes, planting density mix and number;
- v) grassland planting, inclusive of sources, species, sizes, planting density mix and number;
- vi) wetland margin and aquatic planting, inclusive of sources, species, sizes, planting density mix and number;

vii) maintenance/aftercare provisions which shall include a scheme which ensures that if within a period of five years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the County Planning Authority, seriously damaged or defective), another tree or shrub of the same species, size and maturity as that originally planted shall be planted at the same place, unless the County Planning Authority gives its written consent to any variation; and,
viii) boundary details and means of enclosure.
All works shall be carried out, applying accepted best practice at all times, in accordance with the approved details and implementation programme.

By whom: Richard Flinton, Chief Executive Officer, under emergency delegated powers and in consultation with the members of the Planning and Regulatory Functions Committee

On: 7 April 2020

Was this an executive decision?

~~YES/NO~~

If an executive decision, was it also a key decision?

~~YES/NO~~

PLEASE NOTE that as a non-executive function, this decision is not open to call in.

Reasons for decision: -

The reasons for the decision are those as set out within the published Officer Report and are as follows:

- i. the principle of the proposed development has already been established through the previous grant of planning permissions;
- ii. the proposed development would not result in an adverse impact upon local amenity, visual or otherwise;
- iii. the proposed development is considered to result in only a negligible change in its impact upon the surrounding heritage assets when compared to the previously consented scheme;
- iv. the site is strategically important in the management of waste from the county and from other areas supported by policies in the emerging MWJP; v. the proposed development does not give rise to conflict with relevant 'development plan' policies i.e. 'saved' NYWLP policies 4/1, 4/3, 4/10, 4/14, 4/18, 4/19, 4/22 & 6/1, 'saved' NYMLP policies 4/18 and 4/20 and HDLP policies CC1, CC2, CC4, HP2, HP3, HP4, HP5, NE1, NE2, NE3, NE4, NE5 & NE7; consistent with the principles of the NPPF and NPPW

Details of any alternative options considered and rejected: -

n/a

Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?
n/a	

Background Papers: [Published Officer Report](#)

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed:
RICHARD FLINTON, Chief Executive Officer

Publication Date: 8 April 2020

Directorate: Central Services

***Note 1 regarding Executive decisions only:
This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.

Contact for further information: vicky.perkin@northyorks.gov.uk

Contact for copy of report considered vicky.perkin@northyorks.gov.uk

To: The PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries; All Senior Managers; All Democratic Services Officers; All Corporate Development Officers; Senior Press Officer; Communications Officer