

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: C8/2020/0118/CPO - PLANNING APPLICATION FOR THE PURPOSES OF THE VARIATION OF CONDITION NO'S 1, 64 & 66 OF PLANNING PERMISSION C8/2013/1064/CPO FOR AN EXTENSION OF TIME FOR THE COMPLETION OF RESTORATION OF THE SITE UNTIL 31 DECEMBER 2025 AND A REVISED LANDSCAPING SCHEME AND RESTORATION LANDFORM ON LAND AT BROTHERTON QUARRY, BYRAM PARK, YORK ROAD, KNOTTINGLEY, BROTHERTON

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 the APPLICATION BE APPROVED for the reasons stated in the published Officer Report and Addendum Report to the consultation meeting of the Planning & Regulatory Functions Committee on 12 May 2020, subject to the amendment of an error in the Addendum Report (which should have referred to Paragraph 2.11 rather than 2.12) and subject to the conditions and s106 Agreement as detailed in the Reports.

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

On: 15 May 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 (as in the published Officer Report) are as follows:

- i) the principle of the proposed development has been established through the previous grant of planning consents;
- ii) the proposed development is the most appropriate means of achieving an improved standard of restoration for the site;
- iii) the proposed development would not result in any adverse impacts upon residential amenity;
- iv) the proposed development would not result in any adverse impact upon the character of the area and would continue to achieve a suitable final restored landform which would have a positive impact;
- v) the proposed development would not have an adverse impact upon the local highway network, which is capable of continuing to accommodate the proposed vehicle movements;
- vi) the proposed development is consistent with the principles of the NPPF, NWMP, PPG and in compliance with 'saved' Policies 4/22, 4/23 and 6/1 of the North Yorkshire Waste Local Plan, 'saved' Policies 4/1, 4/6a, 4/13, 4/17, 4/18 & 4/20 of the North Yorkshire Minerals Local Plan, Policies SP1, SP3 and SP18 of the Selby District Core Strategy and 'saved' Policy ENV1 of the Selby District Local Plan. Finally, it is in compliance with direction of the draft Minerals and Waste Joint plan policies W01; W05; D01; D02; D03; D06; D07; D09; D10; D11; and D12.

Details of any alternative options considered and rejected: -

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?

Background Papers:

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:

Publication Date: 18 May 2020

RICHARD FLINTON, Chief Executive Officer

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 reports 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