


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

Planning Application:	2020/0155/S73 – Former Kellingley Colliery, Turvers Lane, Kellingley
Decision Maker:	Janet Waggott, Chief Executive
Other Officers Present at Remote Meeting:	Martin Grainger - Head of Planning, Ruth Hardingham - Planning Development Manager, Jenny Tyreman - Senior Planning Officer, Glenn Sharpe - Solicitor and Victoria Foreman - Democratic Services Officer
Title of Decision:	CEO Urgent Decision Session – Planning: 2020/0155/S73 – Former Kellingley Colliery, Turvers Lane, Kellingley
Ward(s):	Monk Fryston
Type of Decision:	<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
Details of decision:	<p>Location: 2020/0155/S73 – Former Kellingley Colliery, Turvers Lane, Kellingley</p> <p>Proposal: Section 73 application to vary condition 01 (approved plans) and 02 (use class of plots 1a and 2) of planning permission reference 2016/1343/OUTM for outline application including means of access (all other matters reserved) for the construction of an employment park up to 1.45 million sqft (135,500sqm) gross floor space (GIA) comprising of B2, B8 and ancillary B1 uses, ancillary non-residential institution (D1) and retail uses (A1- A5) and related</p>

	<p>ancillary infrastructure) granted on 06 February 2019</p> <p>The matter had been brought to the Chief Executive for consideration under urgency as it was a major application recommended for approval contrary to the requirements of the Development Plan. It was contrary to the requirements of the Development Plan (as was the original outline consent, reference 2016/1343/OUTM) insofar as the site, although in employment use for over 50 years, was not an allocated site and the proposal was for large scale development that would have an impact on the surrounding environment.</p> <p>Officers presented the application to the Chief Executive who noted the details of the S73 application.</p> <p>Officers referenced the Officer Update Note which had been circulated before the meeting, and which set out an amended recommendation to include referral to the Secretary of State.</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. Members were supportive of the Officer's recommendations, but had also raised a number of queries regarding the need for referral to the Secretary of State, appropriate consultation, the impact on residential amenity, separation distances and building heights, the importance of retaining employee services on site and ensuring that North Yorkshire County Council were aware of the scheme due to the impact of the site routing and transport scheme.</p> <p>Officers addressed each of the points made by Members and explained them to the Chief Executive, as set out in the Officer Update Note.</p> <p>The Chief Executive queried the large number of conditions on the application; Officers explained that as it was a major application and an outline permission, these conditions were required in order to ensure that further detail was provided by the applicants in the future.</p> <p>The Solicitor confirmed that he was content with the Officer's recommendation and the report.</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 that the application be Mindes to Grant.</p>
Resolution:	RESOLVED:

	<p>That the application be MINDED TO GRANT subject to:</p> <ul style="list-style-type: none">(i) the expiration of the consultation period with no new material considerations being raised;(ii) referral of the application to the Secretary of State and their confirmation that the application is not to be called in for their consideration;(iii) the completion of a Deed of Variation to the original Section 106 agreement, and(iv) the conditions set out at paragraph 7 of the report.
Contact details for further information:	Planning Officer: Jenny Tyreman, Senior Planning Officer jtyreman@selby.gov.uk
Signed:	 Janet Waggott, Chief Executive
Date of Decision:	6 May 2020