

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on 7 February 2017 at 10.00 am.

Present:-

County Councillors Peter Sowray (Chairman), Robert Heseltine, Bill Hoult, David Ireton, Cliff Lunn, John McCartney, Robert Packham, Cliff Trotter and Robert Windass.

There were three members of the public in attendance.

Apologies for absence were received from County Councillors David Blades and Andrew Lee.

Copies of all documents considered are in the Minute Book

218. Minutes

Resolved -

That the Minutes of the meeting held on 13 December 2016, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

219. Declarations of Interest

There were no declarations of interest.

220. Public Questions or Statements

The represented of the Assistant Chief Executive (Legal and Democratic Services) reported that there were no public questions or statements from members of the public.

221. C8/2016/0873/CPO – (NY/2016/0118/ENV) – A 14.91 hectare extension to the existing sand quarry for the extraction of sand over a period of approximately 6 years at Hensall Sand Quarry, Broach Road, Hensall

Considered -

The report of the Corporate Director - Business and Environmental Services, requesting Members to determine a planning application for a 14.91 hectare extension to the existing sand quarry for the extraction of sand over a period of approximately six years on land at Hensall Sand Quarry, Broach Road, Hensall.

The application was subject to an objection having been raised by a member of public in respect of the proposal, which was summarised in the report, and was, therefore, reported to the Committee for determination.

A representative of the Head of Planning Services presented the Committee report, highlighting the proposal; the site description; the consultations that had taken place; the advertisement and representation; planning guidance and policy; planning consideration;

and provided a conclusion and a recommendation.

A series of plans, photographs and visual information were presented to complement the report.

In conclusion it was considered that any adverse impacts could be adequately mitigated by way of conditions and as there were no material planning considerations to warrant refusal, it was recommended that the application be granted.

Members undertook a discussion of the application and the following issues and points were raised:-

- ◆ A Member noted that the applicant had already begun work on Phase 1 of the site and asked whether there were any penalties that could be imposed in relation to commencing work before planning permission was in place. The representative of the Head of Planning Services outlined the particular circumstances in relation to the commencement of work on the site, but noted, should the application be refused, the applicant was aware that the land would have to be reinstated to its original condition.
- ◆ A Member referred to the presentation which had provided photographs of the access road to the site. He noted that these highlighted the existing condition of the access road, for the process that was already taking place on site and suggested that this was not meeting the conditions outlined in the report in terms of keeping the highway clean and safe. He considered that the area should be subject to enhanced checks to ensure compliance with the conditions, should Members be minded to approve the application. The representative of the Head of Planning Services stated that the site was monitored, and would continue to be so, to ensure compliance with the conditions.
- ◆ It was clarified that a mobile processing plant was operational within the application site. A Member noted that there was only one building for the workforce on the site and suggested that further consideration was required in relation to that, in line with the proposed extension of the quarry.
- ◆ A Member raised concerns regarding the loss of best quality agricultural land, through the application, and emphasised the need to maintain this type of agricultural land wherever possible.
- ◆ A number of Members stated that the application was only the subject of objections from one objector and were concerned that the matter had come before Committee for consideration, in view of that, particularly, when, in some of the Members' consideration, a number of the objections could be deemed to be frivolous. In response it was noted that, in line with the Constitution, applications that received objections had to be considered by the Committee. The Head of Planning Services noted that consideration was being given to possible changes to the Constitution, to allow issues to be addressed through the Scheme of Delegation, where there were few objections. Another Member considered that the objections raised were valid and that it was right and proper that the Committee considered the application.
- ◆ A Member of the Committee, also local Member for where the application site was located, noted that he had received no complaints regarding the existing operation on the site and that the application was supported by the local Parish Council.

Resolved -

That the application be approved for the reasons stated within the report and subject to the conditions outlined.

- 222. C3/16/01918/CPO – (NY/2016/0194/ENV) - Members Site Visit - Erection of a Green Energy Facility (6,342 sq. metres) (energy from waste via gasification), office reception building (91 sq. metres), substation and switchroom (39 sq. metres), air cooled condenser (195 sq. metres), installation of a weighbridge, earthworks, 20 car parking spaces, extension to internal access road, landscaping and associated infrastructure, including a local connection via underground cable (340 metres) to the 11kV grid via a proposed substation at land south of Knapton Quarry/Landfill as well as an underground connection (Option 1: 5.26 km and Option 2: 8.25 km) to the 66kV grid via the primary substation at Yedingham**

Considered -

The report of the Corporate Director - Business and Environmental Services, requesting Members to consider a recommendation for a site visit in respect of a planning application relating to the above.

Members were advised that the report was not the substantive report for the determination of the planning application, but enabled Members to be appraised of the detail of the application, the outcome of consultation and the public engagement. This would facilitate Members' understanding of the application in advance of any potential site visit should Members resolve to undertake such a visit prior to any subsequent determination of the application.

As the application was the subject of unresolved objections the application would be brought before Members of the Committee for determination at a future meeting.

A summary of the objections received was contained within the interim report.

The representative of the Head of Planning Services provided a brief outline of the proposal to enable Members to determine whether a site visit was required.

As an update to the report it was noted that the local Member, County Councillor Sanderson, had responded outlining her support for the site visit and her wish to attend the visit should that be agreed to.

Resolved -

That the Committee agree to undertake a formal Committee site visit prior to the determination of the application, with arrangements made for the visit to take place at 10 am on Tuesday 28 February 2017.

- 223. C6/16/05274/CMA - (NY/2016/0237/73A) - Retention of prefabricated classroom unit 3408 (131 sq. metres) for a further 6 years at Ripon Grammar School, Clothholme Road, Ripon**

Considered -

The report of the Corporate Director - Business and Environmental Services, requesting Members to determine the planning application for the retention of a prefabricated classroom unit 3408 (131 sq. metres) for a further six years on land at Ripon Grammar School, Clothholme Road, Ripon.

The application was subject to an objection having been raised by Ripon City Council on the grounds of the time period the unit had been in situ, the justification of the need for the unit and that the prefabricated structure did not fit well into the landscape within the historic landscape of Ripon. The application was reported to the Committee for determination therefore.

A representative of the Head of Planning Services presented the report, highlighting the proposal; the consultations that had taken place; the advertisement and representations; planning guidance and policy; planning considerations; together with the conclusion and recommendation.

A series of plans, photographs and visual information was presented to complement the report.

In conclusion it was stated that there was no material planning considerations to warrant refusal of the application for the retention of the prefabricated classroom, however, in line with the objections submitted by Ripon City Council, it was suggested that the time period for the approval be for a further three years, rather than for a further six years.

Members discussed the application and the following points were raised during that discussion:-

- ◆ A Member noted that there was a clear policy, with regards to the retention of prefabricated classroom units, that these would be provided with a further six years of use, where applications were deemed to be appropriate. Members considered that the need for the unit had been proven and that the location was satisfactory.

Resolved -

That the application be approved for a period of six years for the reasons stated within the report and subject to the conditions outlined.

224. (C6/16/03119/CMA – (NY/2016/0129/FUL) - Erection of a steel storage container (8 sq. metres) at Willow Tree CP School, Wetherby Road, Harrogate

Considered -

The report of the Corporate Director - Business and Environmental Services, requesting Members to determine a planning application for the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate.

The application was subject to an objection from the local planning authority (Harrogate Borough Council) on the grounds of design and cumulative impact of multiple units on site and was, therefore, reported to the Committee for determination.

A representative of the Head of Planning Services presented the report, highlighting the proposal; the consultations that had taken place; the advertisement and representations; planning guidance and policy; the planning considerations; together with the conclusion and recommendation.

In conclusion it was stated that there were no material planning considerations to warrant the refusal of the application for the erection of the steel storage container and therefore it was recommended that the application be approved.

During discussion of the application it was clarified for Members, through photographic

evidence, the nature of the steel storage unit and it was noted that it would be used to store sports equipment.

Resolved -

That the application be approved for the reasons stated within the report and subject to the conditions outlined.

225. Items dealt with under the Scheme of Delegation

Considered -

The report of the Corporate Director - Business and Environmental Services outlining the items dealt with under the Scheme of Delegation between the period 14 November 2016 to 8 January 2017 inclusive.

The Head of Planning Services noted that applications NY/2016/0216/A27, NY/2016/0198/A27 and NY/2016/0179/A27 related to the approval of details reserved by condition in relation to the KMA Well site off Habton Road at Kirby Misperton and the Pickering 1 Well site, Malton Road, Pickering. In terms of the KMA Well site it was noted that there were still 7- 8 conditions to be developed.

Resolved -

That the report be noted.

226. Publication by Local Authorities of Information about the Handling of Planning Applications

Considered -

The report of the Corporate Director - Business and Environmental Services outlining the County Council's performance in handling of "County Matter" and County Council development planning applications for Quarter 3 (the period 1 October 2016 to 31 December 2016).

Information on enforcement cases was also attached as an Appendix to the report.

The Head of Planning Services provided an update on the list of all County Matter planning applications, in hand for more than 13 weeks and awaiting decision, as at the end of Quarter 3. It was noted that where extensions of time had previously been agreed with applicants these could extend beyond the expiry date highlighted provided that further extensions of time were agreed with the applicant.

Resolved -

That the report be noted.

The meeting concluded at 10.55 am.

SL/JR