

Agenda

Meeting: Planning and Regulatory Functions Committee

**Venue: The Grand Meeting Room,
County Hall, Northallerton**

**Date: Tuesday, 6 June 2017 at
10.00 a.m.**

Recording is allowed at County Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive. <http://democracy.northyorks.gov.uk>

Business

1. **Appointment of Chairman**
2. **Minutes of the Meeting held on 4 April 2017.** (Pages 5 to 10)
3. **Appointment of Vice-Chairman**
4. **Declarations of Interest.**
5. **Public Questions or Statements.**

Members of the public may ask questions or make statements at this meeting if they have given notice of their question/statement to Steve Loach of Democratic Services (*contact details below*) by midday on Thursday 1 June 2017. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:- Continued overleaf/...

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes); or
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman, who will instruct anyone who may be taking a recording to cease while you speak.

County Council

6. **C6/16/02735/CMA – (NY/2016/0039/FUL)** - Construction of a floodlit 3G artificial grass pitch (7420 sq. metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 sq. metres) access gates, removal of trees and associated earthworks at Ripon Grammar School, 16 Clothholme Road, Ripon, North Yorkshire, HG4 2DG
(Pages 11 to 43)

7. **C6/17/01073/CMA – (NY/2017/0051/FUL)** - Retrospective application for the erection of 2 steel storage containers (25 sq. metres) at Willow Tree CP School, Wetherby Road, Harrogate
(Pages 44 to 57)

General

8. **Items dealt with under the Scheme of Delegation** **(Pages 58 to 61)**
9. **Publication by Local Authorities of information about the handling of planning applications** **(Pages 62 to 75)**
10. **Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.**

PLEASE NOTE

Should it become apparent that the meeting will extend into the afternoon a lunch break will be taken at around 1pm

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall
Northallerton
26 May 2017

NOTES: Emergency procedures for Meetings

Fire

The fire evacuation alarm is a continuous Klaxon. On hearing this you should leave the building by the nearest safe fire exit. Once outside the building please proceed to the fire assembly point outside the main entrance. Persons should not re-enter the building until authorised to do so by the Fire and Rescue Service or the Emergency Co-ordinator.

An intermittent alarm indicates an emergency in nearby building. It is not necessary to evacuate the building but you should be ready for instructions from the Fire Warden.

Accident or Illness

First Aid treatment can be obtained by telephoning Extension 7575.

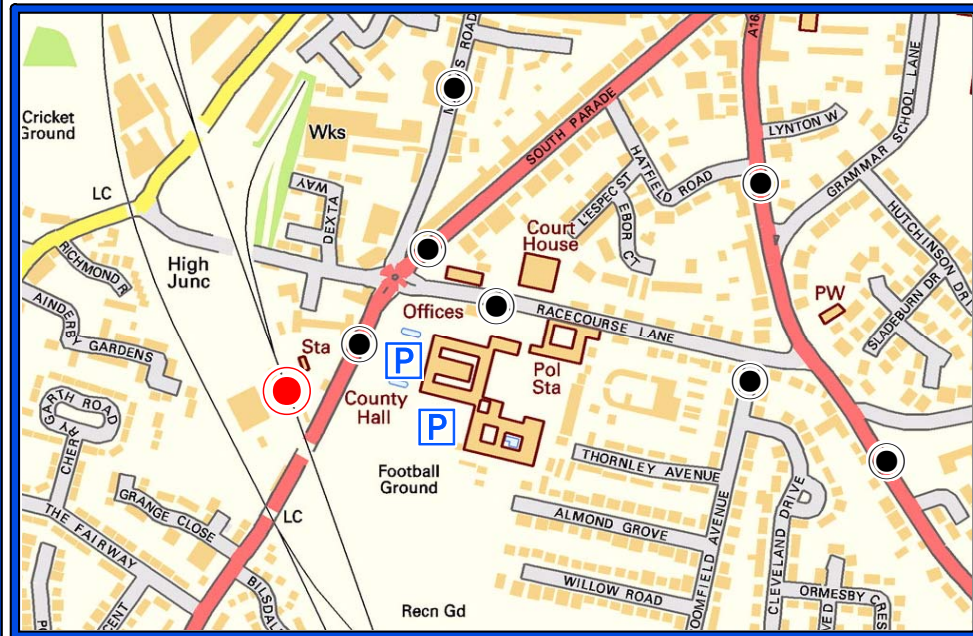
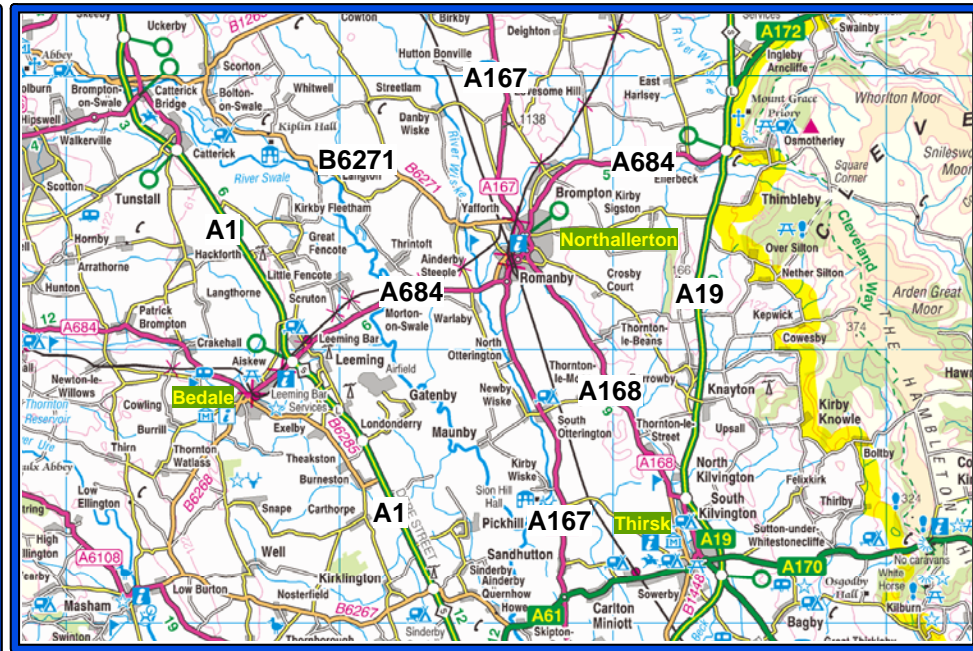
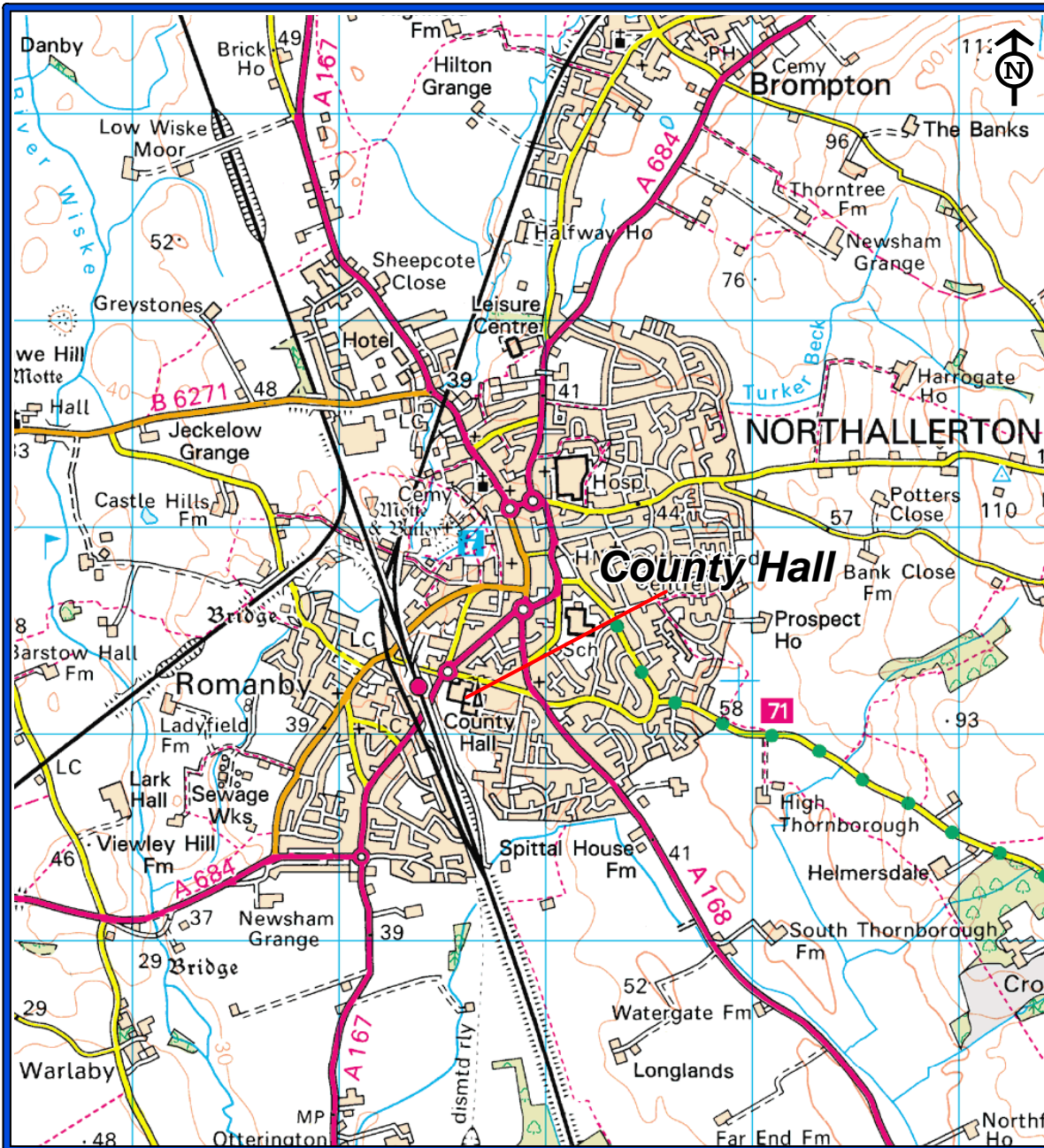
Planning and Regulatory Functions Committee

1. Membership

County Councillors (11)						
	<i>Councillors Names</i>				<i>Political Party</i>	
1	BLADES, David				Conservative	
2	BROADBENT, Eric				Labour	
3	HESELTINE, Robert				Independent	
4	HUGILL, David				Conservative	
5	JORDAN, Mike				Conservative	
6	McCARTNEY, John				NY Independent	
7	METCALFE, Zoe				Conservative	
8	MUSGRAVE, Richard				Conservative	
9	PEARSON, Chris				Conservative	
10	PEARSON, Clive				Conservative	
11	SOWRAY, Peter				Conservative	
Total Membership – (11)				Quorum – (3)		
Con	Lib Dem	NY Ind	Labour	Ind	Total	
8	0	1	1	1	11	

2. Substitute Members

Conservative		Labour	
	<i>Councillors Names</i>		<i>Councillors Names</i>
1	WELCH, Richard	1	RANDERSON, Tony
2		2	
3		3	
4			
5			
NY Independent			
	<i>Councillors Names</i>		
1			
2			
3			
4			
5			



Visitor Parking at County Hall



Northallerton National Rail Station



Bus Stops

County Hall

Northallerton
North Yorkshire
DL7 8AD

Tel : 0845 8 72 73 74



North
Yorkshire County Council

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on 4 April 2017 at 10.00 am.

Present:-

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

There were 11 members of the public in attendance.

Copies of all documents considered are in the Minute Book

227. Minutes

Resolved -

That the Minutes of the meeting held on 7 February 2017, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

228. Declarations of Interest

There were no declarations of interest.

229. Public Questions or Statements

The representative of the Assistant Chief Executive (Legal and Democratic Services) reported that, apart from the people who had registered to speak in respect of the applications listed below, and who would be invited to do so during consideration of those items, there were no public questions or statements from members of the public.

230. C2/10/02487/CCC – (NY/2010/0356/ENV) - Extraction and processing of sand and gravel, including the construction of a site access, conveyors, bridges, associated plant and machinery, with restoration to agriculture, nature conservation and wetland at Killerby Sand and Gravel Quarry, Killerby, North Yorkshire

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application in line with the details set out above.

The application was subject to unresolved objections and, was therefore, in accordance with Schedule 4 of the County Council's adopted Officers' Scheme of Delegation, brought before Members of the Committee for determination. Objections to the proposed development included matters relating to potential adverse impacts upon ecology, landscape and restoration, as well as flood risk, and adverse impacts upon local residential amenity, including noise and those relating to highways matters associated with the proposed development.

It was noted that Members had undertaken a formal site visit prior to the determination of the application on Friday 30 September 2016.

Written representations by Mr Christopher Noble of Kirkby Fleetham were read out to the Committee. The statement highlighted the following:-

- ◆ Impact on local residents:
 - The proposed operation would cause persistent noise pollution.
 - Difficult to see how the operator could prevent commercial vehicles from accessing the site along Low Street despite claims this would not take place.
 - Low Street was clearly not suitable for heavy commercial vehicles and not wide enough to allow two vehicles to pass, there would also be noise from the vehicles.
 - Additional safety issues would be caused by road sweepers/cleaners operating on the new trunk road, clearing mud and debris carried out at the site. It was suggested that the access road should be moved to the new trunk road with Low Street completely restricted from use by commercial vehicles.
 - Dust would be a further problem.
 - A reduction in the ability to walk and cycle in the area due to the removal/blockage of footpaths would affect local residents.
 - Development of more lakes would potentially add to issues for aircraft operating from RAF Leeming.

- ◆ Impact of change of land use:
 - Very good quality agricultural land would be lost through the proposal at a time when self-reliance on home produced food stuffs could be important.
 - Research indicates that there was already a surplus of sand and gravel reserves from existing brown field developments.
 - The proposal would have an impact on local wildlife already affected by the A1 and trunk road developments.
 - Local businesses would be affected through a decrease in tourism.
 - A combination of loss of work from tourism, hunting, fishing, bird watching and associated country pursuits was likely to outweigh the positive employment brought by the development.
 - The development would have a negative effect on local house and land prices.

- ◆ Impact on safety:
 - There would be an impact on road safety through the increased use of commercial vehicles.
 - Safety concerns relating to the operation of conveyers and heavy plant equipment which could be attractive to children and young people, putting them at risk.

Helen Kennedy of Wardell Armstrong, agents for the applicant, outlined the following:-

- ◆ The applicant was the long established operator of nearby Scotton and Ellerton Quarries which were both approaching exhaustion.

- ◆ To maintain a continuity of supply in the local market it was proposed that the

Killerby site would be a follow-on to Scorton Quarry.

- ◆ Proposals were to work and process 11.37m tonnes of sand and gravel through a relocated Scorton processing plant and transfer the remaining Ellerton consented reserves by conveyer across the River Swale for processing.
- ◆ The site would constitute a sustainable quarry development proposal that could help to maintain the continuity of long term supply of sand and gravel to the market place.
- ◆ The report indicated that substantial weight should be attached to the fact that the majority of the site fell within an identified “area of search” for sand and gravel.
- ◆ A main benefit to the site was its proximity to the new A1(M) allowing sand and gravel from Killerby Quarry to travel on the strategic highway network via the A1 improvement scheme local access road, placing quarry traffic onto the primary highway network at the earliest opportunity.
- ◆ Consultation had taken place with neighbours, with public exhibitions held in nearby village halls, prior to the submission of the application.
- ◆ Local representations had been taken on board including improvements to local rights of way and the application included 8.59km of new footpath, with its future maintenance funded by the applicant.
- ◆ Environmental amenity had been given careful consideration in the Environmental Statement and subsequent submissions.
- ◆ The information submitted included details required to assess the environmental effect of the proposed development which the applicant could reasonably be required to compile.
- ◆ The application had been considered against national and North Yorkshire County Council planning policy and was considered to be in accordance with that.
- ◆ There were no objections to the applications from statutory consultees.

The Head of Planning Services presented the Committee report, highlighting the proposal; the site description; the consultations that had taken place; the advertisement and representations; planning guidance and policy; planning consideration; and provided a conclusion and recommendation.

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

The Head of Planning Services highlighted the following updates to the original report:-

A number of web-links had been provided in the electronic version of the report and, following the discovery of errors in three of those, the following had been updated by means of an e-mail to Members containing the correct web-links:-

- ◆ Paragraph 2.28 - “aerodrome safeguarding zone” for RAF Leeming.
- ◆ Paragraph 3.44 - draft S106 legal agreement.
- ◆ Paragraph 4.20 - bat mitigation strategy and strategic management framework.

Other amendments to the report included:-

- ◆ Paragraph 5.1 referred to County Councillor Arthur Baker which should read “Arthur Barker”.
- ◆ The objection at paragraph 5.7 had now been withdrawn.
- ◆ Paragraph 5.8 had been the subject of the written representations read out by the Clerk, earlier in the meeting, which updated those issues.
- ◆ Paragraph 8.6 - required the removal of the following text: “and the absence of undertaking mineral extraction in the extension area on weekends”.
- ◆ An updated suite of conditions had been circulated and published. This provided a complete set of reasons for those conditions and also gave details of an additional condition no. 52 relating to abandonment.

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

- ◆ A Member noted that current reserves in relation to sand and gravel, locally, were at four years, whereas a recommended local supply of the minerals was seven years and he asked whether this could be considered as material planning consideration. This was confirmed and it was stated that the application would enable the levels of the mineral required to be achieved.
- ◆ It was clarified that the application would have no adverse consequences on the aquifer and that the Environment Agency had no concerns in relation to this matter.
- ◆ A Member expressed concern that there would be a loss of Grade A, best and most versatile agricultural land, should the application be approved. This was acknowledged by the Head of Planning, however, she emphasised that, in planning terms, the position was acceptable when balanced against the minerals that would be obtained through the proposal.
- ◆ It was noted that the Ministry of Defence had provided input into the bird management plan to safeguard against bird strike for aircraft operating from RAF Leeming and details of how the plan sought to avoid flocking birds were highlighted.

Resolved -

That the application be approved for the reasons stated within the report and subject to the amended suite of conditions, as circulated and published prior to the meeting, which included the additional Condition 52.

- 231. C1/16/00507/CM – (NY/2016/0094/ENV) - Variation of condition No's 1, 20, 23 and 52 of planning permission ref. C1/39/34G to allow the continuation of sand and gravel extraction for a further 4 year period until 31 December 2020 with final restoration by 31 December 2021 and removal of the plant site by 31 December 2022, and amendments to the phasing and direction of working and a reconfigured layout for the conveyor, at Scorton Quarry, Richmond**

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Member to determine a planning application in line with the details set out above.

The application was subject to four objections having been raised by members of the public and was, therefore, reported to the Committee for determination. The grounds of

objections from members of the public were detailed within paragraph 5.3 of the report.

Mr Nicholas Beale, agent for the applicant, outlined the following:-

- ◆ The application had been submitted to extend the expiry date of the quarry by four years.
- ◆ The additional time was required as annual output had reduced following the economic recession commencing in 2008 and there remained about 1.3m tonnes of consented sand and gravel left unworked.
- ◆ The application was for a time extension only with no further lateral extension to the site.
- ◆ Once the remaining areas were extracted the final restoration of the quarry would be completed.
- ◆ The applicant had consulted widely with its neighbours on the application, with presentations having been made to the Liaison Committee and a public exhibition held at a nearby village institute, with individual resident follow-up meetings.
- ◆ The applicant had taken on board representations made both pre and post planning application with face to face meetings held with local residents.
- ◆ The application had been considered against national and Council planning policy and was considered to be in accordance with those.
- ◆ There were no objections from statutory consultees.

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

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

It was noted that there were no amendments to the published report.

Members discussed the application and the following issues and points were raised:-

- ◆ Clarification was provided in relation to the advanced planting that had already taken place and it was noted that this did not affect the current view of residential properties.
- ◆ Conditions around planting, and the associated legal agreement, provided details of the types of plants and trees that could be used, and in which areas, in relation to the advanced planting process and how that was best utilised for screening. It was noted that this was similar to what had been provided for Phase 4 of the process.
- ◆ A Member considered that the delay in undertaking this part of the quarrying process had led to more stringent conditions being put in place. In response it was stated that the conditions replicated those of the original application, but, in some instances, these had been amended to reflect current regulations.

- ◆ A Member sought assurances that there would be no further extension period beyond what was set out in this application. In respect of this it was noted that, to date, the applicant had undertaken restoration upon completion of the initial stages of the quarrying process and it was expected that this would continue through the subsequent phases. It was stated that any subsequent extension requests would require further planning consent.

Resolved -

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

232. 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 9 January 2017 to 6 March 2017 inclusive.

Resolved -

That the report be noted.

233. Planning Committee - 2013/2017

The Chairman noted that this would be the final meeting of the Planning and Regulatory Functions Committee of the current County Council and thanked Members for their considered approach to matters over the last four years. Members in turn thanked the Chairman for his service to the Committee and the officers for the professionalism they had shown.

It was noted that this would be County Councillor Bill Hoults final meeting of the Planning and Regulatory Functions Committee, following many years of service, as he would not be standing at the forthcoming elections. Members paid tribute to his service to the Committee.

Resolved -

That the issues be noted.

The meeting concluded at 11.30 am.

SL/JR

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

6 June 2017

C6/16/02735/CMA – Planning application for the purposes of the construction of a floodlit 3G artificial grass pitch (7420 square metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 square metres), access gates, removal of trees and associated earthworks on land at Ripon Grammar School, 16 Clotherholme Road, Ripon, North Yorkshire, HG4 2DG on behalf of Ripon Grammar School (Harrogate District) (Ripon North Electoral Division)

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the construction of a floodlit 3G artificial grass pitch (7420 square metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 square metres), access gates, removal of trees and associated earthworks on land at Ripon Grammar School, 16 Clotherholme Road, Ripon, North Yorkshire, HG4 2DG on behalf of Ripon Grammar School.
- 1.2 This application is subject to 18 objections having been raised by members of the public, a 25 signatory petition and an objection from Ripon City Council in respect of this proposal on the grounds of; the location of the development, the impact upon local amenity, the impact upon the listed building, the impact upon biodiversity and the impact upon the highways and parking pressures. Further information relating to the above mentioned grounds of objection is detailed within paragraphs 5.4 of this report.
- 1.3 Based on the above objections this application is, therefore, reported to this Committee for determination.

2.0 BackgroundSite Description

- 2.1 The site to which the application relates is located within the boundary of Ripon Grammar School, which is for students aged between 11 and 18. The school site is located towards the west of the city of Ripon in a residential area. The area of the school site is 8.64 hectares with the buildings located in the north west of the grounds, with playing fields to the south of the site. The site consists of the main school building, of which, the south west block is a Grade II Listed Building. The building is approximately 400 metres to the south west of Ripon Conservation Area. The building was listed by Historic England on the 19th March 1984. The listing describes the building as:

“Private school, now grammar school. 1827 with later alterations, additions of c1878 and 1888 by George Corson. Pink brick with brick and. stone dressings, hipped slate roof. Two storeys on basement, original U-plan with later addition to east corner. Front range of original school has schoolmaster's house of 5 bays by 5 bays, elevations on 3 side with 6 bay wings to rear at either corner. Plinth with stone copings. House has central unusual and extremely 'pure' Greek Doric temple front

acting as porch, in which not only do the columns have no bases, but also the triglyphs extend backwards as stone joists, leaving empty spaces where there are normally metopes, thus illustrating the supposed primitive origins of these forms. Pedimented top. Flanking tall 12-pane sashes with ashlar aprons. 5 similar smaller sashes above on ashlar sill band. All windows below flat brick arches. Wooden bracketed eaves. Hipped roof. Brick ridge stacks, gabled roof dormers. Side elevations similar, except 2 basement windows to either side, some windows are dummy. Rear wings have irregular fenestration of sashes. Late C19 Gothic revival style extension in red brick to east with impressive pyramidal roofed tower. Interior of original block has cantilevered stone staircase with iron balustrade, one original fireplace to left hand front room and triglyphed frieze to entrance hall. History: the school was commissioned by Mrs Elizabeth Sophia Lawrence (1761-1844) of Studley Royal and was designed as a private school. It became a grammar school 1874-1879.”

The former school house was constructed in 1827, with the latest alterations being in 1888. With some more modern buildings being added since, which are all single and two storey constructions.

- 2.2 A Grade II Listed Building is a building of special interest, but not sufficiently important to be counted among the elite. Grade II Listed Buildings comprise approximately 94% of all buildings listed.
- 2.3 The boundary of the school site to which the application refers to consists of an evergreen hedge over 2 metres in height to the north of the site, a smaller 1 metre hedge to the east and a 1.5 metre high brick wall along the southern and western boundary following Clotherholme Road and Ash Grove. There are many mature trees along the southern boundary that provide screening to the school site. There are a number of other buildings with varying uses within the site including a sports hall (measuring approximately 39 metres (length) x 27 metres (width) x 9.5 metres (height)) and an unlit all-weather multi use games pitch (measuring approximately 92.5 metres (length) x 67.5 metres (width)) with associated fencing at a height of 3 metres. These facilities have previously been granted permission for dual use with the community.
- 2.4 The application site is approximately 15,780 square metres (1.578 hectares) and is located on the existing school playing fields to the south of the school complex and to the east of Clotherholme Road. The nearest residential properties are mainly two storey semi-detached houses located on Clotherholme Road, which are predominantly orientated perpendicular to the proposed development. The garden boundaries to these properties are approximately 25-30 metres to the south west of the proposed development and the residential houses are approximately 50-55 metres from the development. Located to the east of the school site there are allotments and to the south is the public highway of Clotherholme Road for which access to the school is gained.
- 2.5 A plan showing the application site is attached to this report.

Planning History

- 2.6 The planning history relating to the proposed development site relevant to the determination of this application is as follows:-
- Planning permission ref. C6/31/608/AS/CMA, for the purposes of the erection of a new sports hall including equipment storage and changing rooms as well as an external all-weather pitch, granted on 6 June 2007;
 - Planning permission ref. C6/31/608/BG/CMA, for the purposes of the retrospective planning permission for changes to design of sports hall, granted on 24 June 2011; and

- Planning permission ref. C6/31/608/BH/CMA, for the purposes of the erection of 3 metre high fence to perimeter of sports pitch (all-weather), granted on 14 April 2011.
- 2.7 The planning application ref. 15/04168/FULMAJ, for the purposes of the erection of 117 dwellings with associated access (Site Area 4.09 ha) was submitted to Harrogate Borough Council on 14 September 2015. The application is currently pending consideration however, it is deemed relevant to this application as the Agents states within the covering letter (dated 15 January 2016) submitted with this application stating it *'is intended to serve as enabling development for our proposals to redevelop Ripon Cathedral Choir School (RCCS) on Whitcliffe Lane, Ripon.'*
- 2.8 The agent furthers the above by confirming that *'An application for the redevelopment of the RCCS site for housing is currently being considered by Harrogate Borough Council. However, being a former school, a substantial portion of the site is occupied by a playing field and despite being out of use for several years, in poor condition and never having been available to users other than students at the school, NPPF and Sport England policy require that where there is a proposal to develop on an existing playing field (regardless of condition, ownership or accessibility) then alternative provision of an equal or better standard (in terms of quantity and quality should be provided). It is for this purpose that the development (this proposal) is primarily sought.'*

3.0 The proposal

- 3.1 Planning permission is sought for the construction of a floodlit 3G artificial grass pitch (7420 square metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 square metres), access gates, removal of trees and associated earthworks on land at Ripon Grammar School, 16 Clothholme Road, Ripon, North Yorkshire, HG4 2DG on behalf of Ripon Grammar School.
- 3.2 The proposed site for the development would be to the south of the main school complex with the application site currently school playing field.
- 3.3 The proposed development comprises a playing area capable of supporting a 100 metres x 65 metres pitch or smaller pitches marked within the enclosure, surrounded by a safety margin to all sides of the pitch, which in total creates a development footprint of 7420 square metres.
- 3.4 The whole of the playing surface would be protected by a green (RAL 6005) powder coated weld mesh perimeter fence to 3 metres high on all sides. The fence includes 3 personnel access gates (single) and 1 maintenance access gate (double).
- 3.5 The proposal includes eight 15 metre high floodlighting columns. The columns would be fitted with light-restricting cowls with medium beam distribution to allow control of lighting pollution. Each light would be fitted with a 65 degree lmax hood, to further restrict glare and light intrusion. The columns are to be located on the perimeter of the pitch, external to the fenceline. Each of these columns supports luminaires which, in total, provide an average horizontal illuminance of 200 lux to the playing surface within the fenceline.

- 3.6 During normal school hours, the pitches would be for the sole use of Ripon Grammar School to provide improved opportunities for physical education and school sport, to offer greater sports development. However, it should be noted that the facility was proposed to be used by the community on weekday evenings until 22:00, weekends between 09:00 and 22:00 and bank/public holidays between 09:00 and 22:00. However, the agent has now stated that the proposed use from the community would be limited to weekday evenings until 20:00, Saturdays between 09:00 and 18:00 and on Sundays and bank/public holidays between 10:00 and 18:00 following the Harrogate Borough Council Environmental Health Officer's comments. The reasoning for the community use is stated by the agent to be *'two-fold, firstly to ensure that there is a substantial, demonstrable wider community benefit from it and secondly to ensure the financial sustainability of the pitch in the long term.'*
- 3.7 The agent has also confirmed that *'the Grammar School have agreed to take on the management of the facility for both their own and the public use and it is envisaged that this will be encompassed within the schools existing community use structure that other sports facilities on site are currently subject to.'*
- 3.8 There is no additional car parking proposed in relation to the proposal however, Ripon Grammar School is within walking distance for many in the local neighbourhoods and is also on a bus route. The School's current car parking arrangements for approximately 68 spaces (3 disabled) can be accessed directly off Clothholme Road to the south west of the school site and would be made available for the community use of the proposal. Separate coach and mini bus parking is available, as is dedicated sheltered parking for cycles.
- 3.9 Community access to the existing School's facilities, including the sports hall, with changing rooms, showers and toilets currently available and would remain accessible from the car park.
- 3.10 The construction of the floodlit 3G artificial grass pitch would require minor earthworks to level the application site, this would consist mainly of cutting to the north of the proposed location and infilling to the south.
- 3.11 The proposal requires the removal of one Norway Maple Tree (T6) from the school playing field in order to facilitate the development. It is also acknowledged should planning permission be granted, full details of the oak tree (T5) are to be included in the Tree Protection Plan and Arboricultural Method Statement prior to the commencement of development, it is further acknowledged that the referred to documents would inform the County Planning Authority of how the tree would be protected during the development process and would also detail any pruning which may be required due to the trees proximity to the proposal.
- 3.12 In addition the proposal includes the re-siting of the rugby pitch which is proposed to be *'laid out to an improved specification to increase usability'*. The location of the re-sited grass pitch is again to the south of the school complex on the existing playfield. The pitch would be immediately to the west of the floodlit 3G artificial grass pitch however, the pitches would be perpendicular in orientation. The re-sited grass pitch would measure 100 metres x 70 metre with an additional 5 metre touch in-goal. The pitch is to be re-levelled and is to include an improved drainage system.

4.0 Consultations

The consultee responses summarised within this section of the report relate to responses to consultation undertaken on 23 June 2016 and the subsequent re-consultation on 15 December 2016 following the receipt of further/amended information relating to; an additional 3G pitch supplementary information letter; amendments to the Persimmon Ripon Grammar School 3G management notes - Rev. B, dated 31/8/2016; amended Location Plan - Rev. 01, dated November 2016; amended Topographical Survey Plan - Rev. 01, dated November 2016; amended Proposed Contours - Rev. 01, dated November 2016; amended Drainage Plan - Scale: 1-1000 - Rev. 01, dated November 2016; amended Drainage Plan - Scale: 1-500 - Rev. 01, dated November 2016; amended Tree Survey Data Plan - Rev. 01, dated November 2016; amended Floodlighting Proposed Lux Levels - Scale: 1-1000 - Rev. 01, dated November 2016; amended Floodlighting Proposed Lux Levels - Scale: 1-500 - Rev. 01, dated November 2016; an additional agents email in response to previous consultation comments; and an additional Flood Risk Assessment - Ref. E166665FR01 - Rev A, dated December 2016.

- 4.1 **Harrogate Borough Council (Planning)** – Responded on 1 August 2016 stating that the Borough Council *'have an Objection with Observations'* relating to the harm caused to the visual amenity in relation to the development and the view of the school from Clotherholme Road. Other observations relate to the close proximity of local residents in relation to the location of the development and increased noise, activity and light spill during the hours of use and the District Council referred to clarification with regards to parking demand.
- 4.1.1 A further response was received on 12 January 2017 in relation to the re-consultation stating that the Borough Council *'have No Objection with Observations'*. The response stated that *'the conservation and design observations are that the development would be ancillary to the school's functions.'* Furthering this by commenting that *'whilst some elements of the scheme is undesired, it would not be significant to resist the application.'*
- 4.1.2 The further observations with the response related to the impact of the development upon local residents in relation to lighting and noise. With conditions being requested in relation to lighting assessments, lighting mitigation measures, hours of use, an arboricultural method statement (including root protection measures), a tree protection scheme and an informative advising the applicant of the potential risks of Gypsum.
- 4.2 **Ripon City Council** – Responded on 28 July 2016 stating that *'the council strongly object to this application primarily on the grounds that the new pitch would spoil the view and alter the existing aspect of Clotherholme Road for the residents. The Council would like to see the pitch located elsewhere on the site.'*
- 4.2.1 No response has been received in relation to the re-consultation of the application (which included the re-location of the floodlit 3G artificial grass pitch).
- 4.3 **Environmental Health Officer (Harrogate)** – Responded on 27 June 2016 stating the following, *'this area contains residential properties in close proximity to the proposed development and whilst occupants will already experience some limited noise breakout from the use of the school grounds, concern is expressed by the Department that the proposal will greatly intensify the use of the site during the day, evening and weekends, throughout the whole of a year. Such an intensification in use will result in an unacceptable level of amenity loss due to the noise from customers shouting and balls striking fencing and other hard surfaces. Whilst it may be possible*

to provide some mitigation measures against the latter, the noise from customers shouting is far more difficult to control.'

- 4.3.1 The response indicates that the proposal should aim to maximise the distance between a noise source and sensitive receptors as well as providing some form of acoustic barrier. The response also identifies that another method of reducing the impact would be to restrict the hours of use.
- 4.3.2 The response also referred to the flood lighting details provided noting that *'vertical levels of between 10 and 25 lux will be experienced within the rear gardens of the nearest residential premises'* confirming that due to the above, mitigation measures will need to be employed to reduce problems of glare from the floodlights. The response also recommends that *'floodlighting shall be installed and maintained in accordance with the "Guidance Notes for the Reduction of Light Pollution" produced by the Institution of Lighting Engineers.'*
- 4.3.3 An additional response was received on 6 January 2017 in relation to the re-consultation. The response acknowledged the further information provided and provided further comments regarding details that would be required within a lighting assessment and that noise impacts from the increased use would have impact upon the residential premises. However, the response considers that it *'may be reasonable to accept that through careful design light spill can be reduced.'* Furthering the above by stating that *'Suitably worded noise / light management conditions to help minimise the amenity loss suffered could be applied but amenity loss concerns still remain primarily due to the difficulties of controlling certain noise sources.'*
- 4.3.4 On 25 April 2017, a further response was received clarifying previous comments made. The response states that *'with mitigation and a suitable curfew in place the proposed floodlighting scheme does not provide reasonable grounds to recommended refusal'*, furthering the above by recommending that should approval be granted, they would recommend conditions relating to restricted hours of use for floodlighting and a prior to commencement condition relating to a lighting assessment. In relation to noise impact the response states that *'whilst some level of adverse impact upon the occupants of noise sensitive premises in the vicinity cannot be avoided'*. However, the response recommends that should approval be granted they would recommend a prior to commencement condition relating to a noise mitigation scheme and conditions relating to hours of use.
- 4.4 **Sport England** – Responded on 14 July 2016 submitting *'a holding objection'*.
- 4.4.1 The response commented that in formulating the response Sport England has considered the need for the facility, the technical suitability, the community availability, sports development, local level of pitch provision and the physical location of the proposed facility.
- 4.4.2 Furthering the above by requesting further information, stating that *'Unfortunately there is insufficient information to enable Sport England to adequately assess the proposal or to make a substantive response.'*
- 4.4.3 A further response was received on 6 January 2017 stating that *'Sport England withdraws its holding objection to this application which is considered to meet exception E5 of our adopted Playing Fields Policy, subject to conditions relating to design, maintenance and community use.'* Which would be included within any grant of planning permission given.

- 4.5 **Highway Authority** – Responded on 20 July 2016 stating they ‘*note the proposal for flood lighting*’ and therefore requested that any grant of planning permission given ensures that ‘*the lighting does not affect drivers on Clotherholme Road.*’
- 4.5.1 No response has been received in relation to the re-consultation of the application.
- 4.6 **NYCC Arboricultural Officer** – Responded on 12 July 2016 commenting on the impact of the proposal upon treeline to the south and south west stating that there may be potential conflict caused by shading and seasonal shedding.
- 4.6.1 The response indicates that ‘*no details of site access, contractor compounds and parking are included, these should therefore be included in a fully detailed Arboricultural Method Statement and Tree Protection Plan.*’
- 4.6.2 Further comments confirm that the proposed removal of the Norway Maple (T6) ‘*would be acceptable due to its condition and projected life expectancy*’, however, it was considered that ‘*replacement planting of an agreed species should be a condition of its removal.*’
- 4.6.3 An additional response was received on 20 January 2017 requesting clarification as to which trees are proposed to be removed to accommodate the amended layout. The response also confirms that there has been no submission of an Arboricultural Method Statement and Tree Protection Plan therefore these are still to be conditioned.
- 4.6.4 A further response was received on 27 April 2017 confirming they have ‘*no objections regarding the removal of T6 (Norway Maple) in order to facilitate the proposal*’ and that full details of the Oak tree (T5) should be included within the Arboricultural Method Statement and Tree Protection Plan, which would be conditioned to any grant of planning permission given.
- 4.7 **NYCC Heritage – Ecology** – Responded on 5 July 2016 stating that ‘*Ecology are satisfied with the arboriculture report from an ecology perspective and consider that efforts have been made to reduce the number of trees removed.*’ However, it was considered that an informative regarding nesting birds should be attached to any grant of planning permission given.
- 4.7.1 The response states that acknowledges that ‘*Artificial lighting is known to have an adverse effect on wildlife species active*’ therefore, it considers that ‘*the flood lighting design should follow best practice such as The Institute for Lighting Professionals Guidance for the Reduction of Obtrusive Light GN01:2011*’, to ensure minimised impacts on biodiversity.
- 4.7.2 No response has been received in relation to the re-consultation of the application.
- 4.8 **NYCC Heritage – Archaeology** – Responded on 14 July 2016 stating ‘*no objection to the proposal.*’
- 4.8.1 A further response was received on 16 December 2016 in relation to the re-consultation of the application, confirming that previous comments on the 14 July 2016 are still valid.
- 4.9 **NYCC Heritage – Principal Landscape Architect** – Responded on 14 July 2016 stating ‘*no objections in principle to the proposed development*’ however, it was recommended that clarification should be submitted with regards to the ‘*effects on amenity, local urban character and mitigation*’.

- 4.9.1 No response has been received in relation to the re-consultation of the application.
- 4.10 **NY Police Architectural Liaison Officer** – Responded on the 27 June 2016 stating that in terms of ‘Crime and Disorder’ there were 47 incidents reported to the Police in relation to ‘Anti-Social Behaviour’ and there were a total of 65 incidents reported to the Police in relation to ‘Crime’ (for a 12 month period 1 June 2015 to 31 May 2016). However the response notes that there have been no Crime or ASB incidents reported to the Police on the application site itself. It is further considered that *‘In view of the above it would be reasonable to state that the development lies within a relatively low crime & disorder area. However any new development has the potential to increase these levels if the designing out of crime is not considered and implemented.’*
- 4.10.1 The response concludes by stating that *‘in general terms I have no concerns with regards to the application.’* However, they recommend that should permission be granted, a condition requiring the submission of a management plan should be included.
- 4.10.2 A further response was received on 16 December 2016 in relation to the re-consultation, making no further comments.
- 4.11 **SUDS & Development Control Officer** – Responded on 5 July 2016 stating that the application indicates that surface water will be disposed of to the main sewer. It was considered that is not a sustainable drainage system and therefore they objected to the application.
- 4.11.1 A further response was received on 26 April 2017 in relation to the re-consultation. The response indicated that the further information provided is satisfactory however, they recommend that a prior to development condition relating to a detailed design, associated management and maintenance plan of surface water drainage for the site should be included within any grant of planning permission given.
- 4.12 **Harrogate Conservation Officer** – It was confirmed that their comments were included within the Borough Council’s (Planning) consultation response and the re-consultation responses dated 1 August 2016 and 12 January 2017 respectively.

Notifications

- 4.13 **County Councillor Bernard Bateman** – Was notified of the proposal on 23 June 2016 and was re-notified of the further information on 15 December 2016.

5.0 Advertisement and representations

- 5.1 This application has been advertised by means of four Site Notices posted on 24 June 2016, responses to which expired on 15 July 2016. The Site Notices were posted in the following locations:
- Approximately 35 metres north west of the school access road off Clotherholme Road, on a metal sign post;
 - Approximately 20 metres south east of the school access road off Clotherholme Road, on a metal sign post;
 - Approximately 90 metres south east of the school access road off Clotherholme Road, on a metal lighting pole; and
 - Approximately 10 metres outside of 10 Clotherholme Road, on a metal sign post.
- 5.2 A Press Notice appeared in the Harrogate Advertiser on 30 June 2016, responses to which expired on 21 July 2016.

- 5.3 Neighbour Notification letters were sent on 28 June 2016 and the period in which to make representations expired on 19 July 2016. The following 19 properties received a neighbour notification letter:
- 2-4 (Even No.s Only) Aislabie Close, Clotherholme Road, Ripon, North Yorkshire, HG4 2DD;
 - 6-14 (Even No.s Only) Clotherholme Road, Ripon, North Yorkshire, HG4 2DA; and
 - 1-12 (Inclusive) Clova Gardens, Clotherholme Road, Ripon North Yorkshire, HG4 2DA.
- 5.4 A total of 18 letters of representation and a 25 signatory petition have been received. The reasons for objection are summarised as follows:
- The noise impacts of the proposal upon local residents;
 - The impacts of the floodlighting and light pollution upon the local amenity;
 - That there are no *'preventative measures to prevent a 'short cut' to access the pitches over Clova House and Clova Gardens wall'*;
 - There are no additional changing room or toilet facilities included within the proposal;
 - *'The planning application is misleading, giving the impression that this is a Ripon Grammar School initiative and we understand that the picture is rather more complex than that.'*
 - *'We understand that the site of the proposed 3G pitch will change from its current exclusive use as school playing fields (C2?) to a mixed use as school playing fields and commercial public leisure facility (C2/D2?). There is no reference in the planning application to this significant change of use';*
 - The increase in traffic along Clotherholme Road;
 - *'We are not convinced that the existing management regime for other school facilities can be extended without further planning and resourcing to accommodate a major public commercial facility such as this';*
 - The potential impact of the development upon bat habitats;
 - The existing parking facilities cannot accommodate the increased usage in relation to this development;
 - The need for the proposed development; and
 - The impact of the development upon the listed building on the school site.

6.0 Planning policy and guidance

National Planning Policy

- 6.1 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:
- National Planning Policy Framework (NPPF) (published March 2012)

National Planning Policy Framework (NPPF)

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.
- 6.3 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government has set down its intention with respect to sustainable development stating its approach as *"making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same"*. The Government defines sustainable development as that which fulfils the following three roles:

- **An economic role** – development should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation;
 - **A social role** – development supporting strong, vibrant and healthy communities; and,
 - **An environmental role** – development that contributes to protecting and enhancing the natural, built and historic environment and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4 The NPPF advises that when making decisions, development proposals should be approved that accord with the Development Plan and when the Development Plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this framework indicate development should be restricted.
- 6.5 This national policy seeks to ensure that there are positive improvements in people's quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.6 Paragraph 17 regarding 'Core planning principles' within NPPF sets out the core planning principles which should underpin planning decisions. With this in mind the relevant core principles for this proposed development are as follows:
- Planning Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants or users of a development.
 - And that, planning authorities are required to ensure that they *'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'*.
- 6.7 Paragraph 32 within Section 4 (Promoting sustainable transport) of the NPPF states that *'plans and decisions should take account of whether:*
- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site to reduce the need for major transport infrastructure;*
 - *safe and suitable access to the site can be achieved for all people; and*
 - *improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'*
- 6.8 Paragraphs 56-58 within Section 7 (Requiring Good Design) of the NPPF states that *'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'*. It also states that planning policies and decision should aim to *'ensure that developments:*
- *will function well and add well to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*

- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping’.*

Indeed paragraph 64 states that *‘permission should be refused for development of poor design’.*

- 6.9 However, paragraph 60 states that *‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness’* and paragraph 61 states that *‘Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’.*
- 6.10 Paragraph 70 states; *‘to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
 - *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
 - *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services’.*
- 6.11 The NPPF further advises at paragraph 72 on the importance of ensuring that a sufficient quantity of school places for children is available for existing and new communities. Furthermore it is advised that Local Planning Authorities *‘should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- *‘Give great weight to the need to create, expand or alter schools’*
- 6.12 Within paragraph 73 of the NPPF, the importance of ensuring access to open space for sport and recreation is outlined and the important contribution this can make to health and well-being for the communities involved. It is noted that planning policies *‘should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.’* It is further noted that such assessments should *‘identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreation facilities in the local area.’* It is further noted that the information gained from undertaking such assessments should be used in the determination of the level of open space; sports and recreation provision are required for locations.

- 6.13 Within paragraph 74 of the NPPF, it states that *'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'*
- 6.14 Paragraph 103 of the NPPF, advises that in determining planning applications, Local Planning Authorities should *'ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:*
- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
 - *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems'.*
- 6.15 Paragraph 109 within Section 11 (Conserving and enhancing the natural environment) of the NPPF states that *'the planning system should contribute to and enhance the natural and local environment by:*
- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
 - *recognising the wider benefits of ecosystem services;*
 - *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
 - *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
 - *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'*
- 6.16 The NPPF further advises within paragraph 118 that *'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*
- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts),adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
 - *proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;*
 - *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;*

- *opportunities to incorporate biodiversity in and around developments should be encouraged;*
 - *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and*
 - *the following wildlife sites should be given the same protection as European sites:*
 - *potential Special Protection Areas and possible Special Areas of Conservation;*
 - *listed or proposed Ramsar sites; and*
 - *sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'*
- 6.17 Specifically in relation to noise pollution the National Planning Policy Framework (2012) states the following within paragraph 123 planning policies and decisions should aim to:
- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
 - *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
 - *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
 - *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”.*
- 6.18 Within the NPPF, paragraph 125 notes that *‘By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*
- 6.19 Section 12 (‘Conserving and enhancing the historic environment’) of the NPPF provides the context for conserving and enhancing the historic environment.
- 6.20 Paragraph 128 within Section 12 (‘Conserving and enhancing the historic environment’) of the NPPF states that *‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’.*

- 6.21 Paragraph 129 within Section 12 ('Conserving and enhancing the historic environment') of the NPPF states that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'*
- 6.22 Paragraph 131 within Section 12 ('Conserving and enhancing the historic environment') of the NPPF states that *'in determining planning applications, local planning authorities should take account of:*
- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *the desirability of new development making a positive contribution to local character and distinctiveness'.*
- 6.23 Paragraph 132 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.*
- 6.24 Paragraph 133 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states *'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
- *the nature of the heritage asset prevents all reasonable uses of the site;*
 - *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
 - *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
 - *the harm or loss is outweighed by the benefit of bringing the site back into use'.*
- 6.25 Paragraph 134 within Section 12 (Conserving and enhancing the historic environment) of the NPPF states *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.*

National Planning Practice Guidance (PPG) (2014)

- 6.26 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -
- (i) Conserving and enhancing the historic environment:
- 6.27 'Significance' in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework as *'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'*
- 6.28 In legislation and designation criteria, the terms 'special architectural' or 'historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of the identified heritage asset's significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.
- 6.29 Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals
- (ii) Design:
- 6.30 Good quality design is an integral part of sustainable development and that planning should drive up standards across all forms of development as a core planning principle, plan-makers and decision takers should always seek to secure high quality design.
- 6.31 Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term.
- (iii) Light pollution:
- 6.32 Light intrusion occurs when the light 'spills' beyond the boundary of the area being lit. For example, light spill can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems (e.g. plants, animals, insects, aquatic life). It can usually be completely avoided with careful lamp design selection and positioning:
- Lighting near or above the horizontal is usually to be avoided to reduce glare and sky glow (the brightening of the night sky).
 - Good design, correct installation and ongoing maintenance are essential to the effectiveness of lighting schemes.
- 6.33 Lighting only when the light is required can have a number of benefits, including minimising light pollution, reducing harm to wildlife and improving people's ability to enjoy the night-sky:
- Lighting schemes could be turned off when not needed ('part-night lighting') to reduce any potential adverse effects e.g. when a business is closed or, in outdoor areas, switching-off at quiet times between midnight and 5am or 6am. Planning conditions could potentially require this.

- Impact on sensitive wildlife receptors throughout the year, or at particular times (e.g. on migration routes), may be mitigated by the design of the lighting or by turning it off or down at sensitive times.

(iv) Noise:

6.34 Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. When preparing local or neighborhood plans, or taking decisions about new development, there may also be opportunities to consider improvements to the acoustic environment.

Planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

6.35 In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. As noise is a complex technical issue, it may be appropriate to seek experienced specialist assistance when applying this policy.

(v) Open space, sports and recreation facilities:

6.36 Open space should be taken into account in planning for new development includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development.

6.37 It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the duty to cooperate where open space serves a wider area.

The Development Plan

6.38 Notwithstanding that the abovementioned national planning policy is a significant material consideration, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the Development Plan consists of policies contained within a number of planning documents. These documents include:

- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils 'saved' under direction of the Secretary of State; and,
- any planning policies contained within Development Plan Documents adopted under the Local Development Framework regime.

6.39 The Development Plan for the determination of this particular application comprises the following:

- The extant policies of the Harrogate District Core Strategy (2009); and
- The 'saved' policies of the Harrogate Borough Local Plan (2001).

- 6.40 The Harrogate Core Strategy (adopted 2009) has particular relevance in the determination of this application and the policies most relevant include:
- Policy C1 – titled ‘Inclusive Communities’;
 - Policy EQ2 – titled ‘The Natural and Built Environment and Green Belt’; and
 - Policy SG4 – titled ‘Design and Impact’.
- 6.41 Policy C1 titled ‘Inclusive communities’ advises *‘the use and development of land will be assessed having regard to community needs within the District, with particular importance placed on the following specific needs identified through the Harrogate District Community Plan and other relevant strategies and plans:*
- a. *elderly people, especially in terms of open market housing, health, sport and recreation;*
 - b. *young people, especially in terms of affordable housing, higher education/training and sport, leisure, cultural and entertainment facilities;*
 - c. *the rural population especially in terms of affordable housing and access to services; and*
 - d. *disabled people, especially in terms of access to services and mobility.’*
- In this instance only part ‘b’ of this policy is considered relevant to the determination of this application as it relates to the provision of facilities related to education/training and sport.
- 6.42 It is therefore considered that Policy C1 ‘b’ of the Harrogate District Core Strategy (2009) is consistent with the NPPF (2012) and therefore full weight can be applied in determining this application.
- 6.43 Policy EQ2 provides the Borough Council’s response to development within both the natural and built environment of the district. Within the Strategy, paragraph 7.36 states *‘Policy EQ2 recognises the importance of those sites/areas of international and national importance for the protection and enhancement of the Districts character, biodiversity, landscape and heritage’*. This Policy is consistent with the NPPF’s objectives of good design, as outlined in Chapter 7, in particular as detailed in paragraph 58, which related to development respecting the character of the area. It is, therefore, considered that policy EQ2 is consistent with national guidance and is given weight in the determination of this application.
- 6.44 Within the Harrogate Core Strategy Policy SG4, ‘Design and Impact’ with regards to residential amenity it states *‘the scale, density, layout and design should make the most efficient use of land’*, and that the *‘visual, residential and general amenity should be protected and where possible enhanced’*. This policy is consistent with the NPPF’s objectives of presumption in favour of sustainable development, as outlined in paragraph 17 of the Framework, which relates to the importance of achieving a good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Therefore, full weight can be given to this policy in the determination of this application.
- 6.45 In addition to the Harrogate District Core Strategy (2009) the Harrogate District Local Plan (2001) also warrants consideration in relation to this proposal. The policies most relevant include:
- ‘Saved’ Policy CFX – titled ‘Community Facilities Protection’;
 - ‘Saved’ Policy R1 – titled ‘Existing Recreational Open Space’;
 - ‘Saved’ Policy R5 – titled ‘New Sports and Recreational Facilities’; and
 - ‘Saved’ Policy HD20 – titled ‘Design of New Development and Redevelopment’.

- 6.46 Within the Harrogate District Local Plan, 'Saved' Policy CFX, titled 'Community Facilities Protection', states that *'proposals involving the loss of land or premises in community use, including community halls, schools, colleges, nurseries, place of worship, health services, care homes, libraries and public houses will not be permitted, except where it can be shown that:*
- A) *Continued community use would cause unacceptable planning problems; or*
 - B) *A satisfactory replacement facility is provided, in a suitably convenient location for the catchment served prior to the commencement of development; or*
 - C) *There is no reasonable prospect of:*
 - i) *The existing use continuing on a viable basis with all options for continuance having been fully explored, as a priority and, thereafter,*
 - ii) *Securing a satisfactory viable alternative community use.'*
- 6.47 This Policy is consistent with the principles of the NPPF in relation to the provision of community facilities. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.
- 6.48 Within the Harrogate District Local Plan, 'Saved' Policy R1, titled 'Existing Recreational Open Space', states that *'development proposals which involve the loss of existing public and private recreational open space will not be permitted unless:*
- A) *The is a surplus of recreation open space in the area and its loss would not adversely affect the existing and potential recreational needs of the local population; or*
 - B) *A satisfactory replacement facility is provided in the catchment area which it serves; or*
 - C) *The land by virtue of its size, location and physical conditions, is incapable of appropriate recreational use; or*
 - D) *In the case of playing fields, where sports and recreation facilities can best be retained and enhanced through the development of a small part of the site.*
- Any loss of recreation land which may be acceptable under the above criteria will not be permitted where this involves the loss of open space of amenity value harmful to the character of the area.'*
- 6.49 This Policy is consistent with paragraph 74 of the NPPF which protects open space, sports and recreational buildings and land. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.
- 6.50 Within the Harrogate District Local Plan, 'Saved' Policy R5, titled 'New Sports and Recreational Facilities', states *'proposals for the development of new sports and recreational facilities will be permitted providing that:*
- A) *The facility is location in or adjacent to built-up areas wherever possible and is well served by public transport.*
 - B) *The proposal would not give rise to significant traffic congestion and road safety problems.*
 - C) *New buildings or structures are well designed and appropriately landscaped.'*
- 6.51 This Policy is consistent with the principles of the NPPF in relation to new sports and recreational buildings and land within paragraphs 73 and 74. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.
- 6.52 Within the Harrogate District Local Plan, 'Saved' Policy HD20, entitled 'Design of New Development and Redevelopment', it advises that proposals must take into account the following design principles:
- *'New buildings must make a positive contribution to the spatial quality of the area and their siting and density should respect the area's character and layout;*

- *The use and application of building materials should respect materials of neighbouring and the local area;*
- *New development should respect the local distinctiveness of existing buildings, settlements and their landscape setting;*
- *New buildings should respect the scale, proportions and height of neighbouring properties;*
- *New building design should respect, but not necessarily mimic, the character of their surroundings and, in important location, should make a particularly strong contribution to the visual quality of the area;*
- *The use and application of building materials should respect materials of neighbouring buildings and the local area; and*
- *New development should respect the privacy and amenity of nearby residents and occupiers of adjacent building.'*

6.53 This Policy is consistent with the NPPF's objectives of achieving sustainable development through good design, as outlined in Chapter 7, in particular as detailed in paragraph 58, which related to development respecting the character of the area. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.

7.0 Planning considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are the principle of the proposed development, the need of the proposed development and the community use, the location and orientation of the development, the design and scale, impact upon local amenity, the impact upon the historic environment, the impact upon the public highways, the impact upon open space, sport and recreation, the impact upon biodiversity, habitats, nature conservation and protected species, drainage and flood risk, the management and security and the fear of crime in relation to the proposed development.

Principle of the proposed development

7.2 It is considered that the proposed development can be seen as an additional facility for the school to enhance sport facilities to a higher level as it is considered that the proposed development would provide investment in the outdoor space suitable for the needs of existing pupils and the wider community. It is also considered that the proposed development would provide the wider community with increased opportunities for sport. Therefore the proposed development is in line with Paragraph 70 within Section 8 of the NPPF, due to it advising that Local Planning Authorities "*plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments*".

7.3 It is noted that the principle of improving school facilities is promoted within paragraph 72 of the NPPF in both securing sustainable development whilst supporting the needs to alter/enhance schools. Furthermore, it is noted that the proposal receives support within paragraph 73 of the NPPF in seeking to improve health and well-being through improved access to and opportunities for sport and sporting provision. The principle of the development is therefore supported and because of the health benefits the development would bring to the local community it is considered in accordance with NPPF and NPPG and compliant with policy C1 of the Harrogate Core Strategy (2009) and 'Saved' Policies CFX, R1 and R5 of the Harrogate Local Plan (2001) which support the provision and enhancement of community facilities in relation to sports facilities.

- 7.4 In this instance, and, on balance, the public benefit of the proposal means that the application should be considered acceptable in principle subject to consideration of other matters. It is therefore considered that the proposed development is fit for purpose and the principle is in accordance with paragraphs 70, 72 and 73 of the NPPF (2012) and compliant with policy C1 of the Harrogate Core Strategy (2009) and 'Saved' Policies CFX, R1 and R5 of the Harrogate Local Plan (2001).

Need and community use

- 7.5 In terms of the existing local provision and local demand for outdoor floodlit sports facilities in relation to community use, it is noted that the objections have been received from members of the public referring to the existing unlit artificial pitch on the school site and that there is limited need for this additional development. It is acknowledged that there is potential for both the existing unlit artificial pitch and the proposed development to be used for community use within the same time period, dependent on weather/lighting conditions. However, it is not considered that the facilities are in direct competition and therefore the application should not be considered as a question of which is preferred, but whether there is a local need for the facility and the acceptability of the overall proposal in terms of the potential impacts. It is considered that there is a need for additional and improved sporting facilities within the local community due to the re-development of Ripon Cathedral Choir School on Whitcliffe Lane, Ripon, which is proposed to provide the erection of an additional 117 dwellings. In addition to the increase of the population in the local community due to the above mentioned dwellings, the existing area of playing field would be lost due to the redevelopment therefore, adding further need for additional community facilities for sport and recreation within the local community. It is considered that the proposed development would fulfil a role in terms of the availability of such facilities to members of the public and teams in this locality. It should also be noted that the proposal included the re-siting of the existing rugby pitch which is to be installed within an improved drainage system to improve the usability of the pitch. This is endorsed by the Sport England consultation response which states support for the application and is also supported by paragraph 73 of the NPPF (2012) which acknowledges that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Location and orientation

- 7.6 It is important to consider the location and orientation of the proposed development and it is acknowledged that objections to the location have been received. It is noted that the nearest residential properties to the proposed location of the floodlit 3G artificial grass pitch would be approximately 50 metres to the south west, on Clotherholme Road. It is considered that the amended location of the pitch is on the playing fields south of the existing school complex and is the furthest possible distance from the residential properties on Clotherholme Road. It is also considered that there would be no changes to the existing boundary treatments to the south of the school site which are a mixture of residential hedgerows and mature trees within the school boundary, therefore, the development would be partial screened from view. Both the above mentioned factors have been considered to limit the impact the development upon local amenity. The orientation is also considered acceptable as it has been positioned again to limit the impact the development upon the views of the school site and the surrounding area. It is further considered that the proposed development would be located in proximity to existing school buildings to the north of the playing field so the proposed development would be less isolated. It is therefore considered that the proposed development is not in conflict with policy SG4 of the Harrogate Core Strategy (2009) and the 'saved' policies HD20 Harrogate District Local Plan (2001) and the location and orientation of development have been considered to limit the impact of the development upon the surrounding area.

Design and scale

- 7.7 The design and scale of the proposed development has been taken into consideration. In regards to the design of the development, consideration is given to the design and colour finish of the perimeter fence around the 3G artificial grass pitch. The perimeter would comprise welded mesh fencing, coloured green. The proposed fencing would be constructed from horizontal wires and vertical wires. This would create gaps of approximately 200 millimetres (height) x 50 millimetres (length) within the fencing. The fencing which is 3 metres high on all four sides is unlikely to unduly impact on residential amenity and views of the site because of the distance to the properties on Clothholme Road and due to the fencing not being a solid visual barrier. The impact of the mesh fencing would not have a detrimental impact upon the openness of the site as it is lightweight and transparent. It is also considered that the proposed colour finish is suitable due to it limiting the visual impact of the development against the surrounding rural area.
- 7.8 In regards to the design of the floodlighting for the proposal, the lighting has been designed to ensure that there is minimal glare or light intrusion in accordance with the NPPG (2014), whilst providing the necessary light (lux) levels across the playing surface. The eight lighting columns are to each comprise 15 metre high floodlighting columns with light-restricting cowls, and medium beam distribution to allow control of lighting pollution. Each light would be fitted with a 65 degree lmax hood to further restrict glare and light intrusion. It is acknowledged that the 15 metre high floodlights are required to provide an average horizontal illuminance of 200 lux to the playing surface within the fenceline, which is a requirement to allow for sports games to take place and whilst it could be argued that the lighting columns add further visual clutter it is considered that when viewed against the backdrop of adjacent school complex they would not have any significant impacts on the surrounding area outside of the school grounds.
- 7.9 It is therefore considered that in relation to the design and scale of the proposed development is in accordance with paragraphs 56-58 of NPPF (2012), NPPG (2014), in compliance with policy SG4 of the Harrogate Core Strategy (2009) and the 'saved' policies HD20 Harrogate District Local Plan (2001) due to the appropriate design and scale of the development.

Local amenity

- 7.10 It is acknowledged that objections have been received in relation to the noise and lighting impacts of the proposed development upon residential amenity. It is considered that whilst acknowledging the proximity of local residential properties to the south west approximately 50 metres from the proposed development on Clothholme Road, the development would not overlook any nearby residents and its design would be acceptable. The potential for light pollution from the floodlight has been considered, it is noted that the proposed light levels of the floodlight would be a maintained average Illumination Level of '200-Lux' and this is stated to be in-line with the FA requirements in order for sports to take place. It is also considered that the information provided in the Lighting Design Plan, ref. D27921/LKM/A, dated 28 March 2017, indicates that the position of the residential properties approximately 50 metres to the south west from the nearest floodlight, and that the distance/perimeter of light spillage from the proposed development would not affect any residential properties therefore limiting the impact upon the residential amenity. Further to this, the hours of operation were initially stated by the Agent to be until 22:00 each evening however, after consultation with the Harrogate Environmental Health Officer and their response dated 25 April 2017 which stated '*with mitigation and a suitable curfew in place the proposed floodlighting scheme does not provide reasonable grounds to recommended refusal*', the agent revised the hours of use to weekday evenings until 20:00, Saturdays between 09:00 and 18:00 and on Sundays and bank/public holidays between 10:00 and 18:00 and the floodlights would only be

used (within the proposed hours of use) as required when natural lighting is insufficient (i.e. during darker nights and winter month). The response also recommended a prior to being brought into use condition relating to a lighting assessment to show that the pre development assessment levels as shown on drawing ref. D27921/LKM/A, dated 28 March 2017 are achieved. Therefore, it is considered that with the inclusion of the proposed condition on any grant of planning permission given the proposed development is in accordance with paragraph 125 of the NPPF (2012) which states that *'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity.*

- 7.11 Consideration has also been given to noise impacts upon the local/residential amenity due to the dual use of the community on evenings, weekends and bank holidays as well as the increase in the amount of vehicle movements upon the site. It is considered that the closest residents are approximately 50 metres from the proposed development on Clotherholme Road. The application was subject to consultation with the Harrogate Environmental Health Officer and their response dated 25 April 2017 stated that *'some level of adverse impact upon the occupants of noise sensitive premises in the vicinity cannot be avoided'*. However, the response recommends that should approval be granted they would recommend a prior to being brought into use condition relating to a noise mitigation scheme. Therefore, it is considered that subject to the prior to commencement condition being attached to any grant of permission given, the application is acceptable from the view of the Environmental Health Officer and therefore the proposal is considered to be in accordance with paragraph 125 of the NPPF (2012) in relation to the noise impacts associated with the proposed development.
- 7.12 In conclusion to the above it is considered that the proposed development would not result in an adverse impact upon the residential amenity and is in accordance with the principles of the NPPF (2012), NPPG (2014), and compliant with policy SG4 of the Harrogate Core Strategy (2009) and 'saved' Policy HD20 of the Harrogate District Local Plan (2001).

The historic environment

- 7.13 In the context of this planning application the application site lies within the setting of one designated heritage asset, the south west block of Ripon Grammar School's main school building, which is a Grade II Listed Building. It is noted that objections have been raised in relation to the impacts of the proposal upon the setting of the listed building.
- 7.14 The application was subject to consultation with the Harrogate Borough Council (planning) and Harrogate Borough Council Conservation Officer. The responses to which raised no objection to the proposed development.
- 7.15 It is noted that there are existing school playing fields within the setting of the Grade II listed building. However, the main significance of the building is the original internal and exterior design itself. The proposed development would not directly affect the listed building and the school playing fields to the south of the building are not mentioned within its listing. It is acknowledged that it is important to consider the views to and from the listed building. It is considered that the amendments to the proposed location would limit the impacts upon the views to and from the listed building, therefore, it is considered that the proposed development would have less than substantial harm to the significance of the setting of the school building due to the minimal change in the character within the setting of the listed building.

- 7.16 It is considered that the proposed development would result in less than substantial harm to the significance of the Grade II building and, on balance, would be outweighed by the public benefit of the development through the improve of the sports facilities available. Therefore it is considered that the proposed development is in accordance with the paragraphs 128 to 134 of the NPPF (2012), PPG (2014) and compliant with policies EQ2 and SG4 of the Harrogate Core Strategy (2009) and 'saved' Policy and HD20 of the Harrogate District Local Plan (2001) which seek to ensure that developments do not adversely impact upon designated heritage assets and their setting. The proposed development is considered to have minimal to impact and on balance 'slight adverse' but less than substantial harm and therefore, negated by the public benefits of the proposal.

Highway matters

- 7.17 It is acknowledged that objections have been raised to the proposal due to the increase in parking pressures on the school site. Consideration has been given to the impact of the proposed development upon the public highway. Whilst it is noted that the additional community use would increase car numbers, the facilities within the existing school complex can accommodate for of approximately 68 parking spaces (including 3 disabled spaces). The existing school access and car parking are accessed directly off Clotherholme Road to the south west of the school site and it is considered to be sufficient in providing for this increase in community use in addition to the other community facilities provided within the school site. It should be noted that when used by the community at evenings, weekends and holidays, the School's own needs for parking (for staff, visitors, deliveries, etc) would be limited, thus allowing community users ample space to park. However, following consultation with the highways department it was considered that a condition with regards 'no glare from floodlighting' upon the public highway of Clotherholme Road would be needed to ensure that that there were no detrimental impacts to the highways and therefore with the addition of this condition, the proposed development was deemed acceptable from a view of the Highways Authority and therefore the proposal is considered to be in accordance with paragraph 32 of the NPPF due to it being considered that '*safe and suitable access to the site*' can be provided in relation to the proposed development.

Open space, sport and recreation

- 7.18 Consideration has been given to the impacts of the development upon open space, sport and recreation with the consultation of Sport England however their consultation response, dated 6 January 2017 states that '*Sport England raises no objection to this application which is considered to meet exception E5 of our adopted Playing Fields Policy.*' It is acknowledged that the proposed development would result in the loss of a single grass playingfield however, it is also considered that the development would provide an enhanced grass rugby pitch and a floodlit 3G artificial grass pitch.
- 7.19 The floodlit 3G artificial grass pitch and associated fencing would allow for the pitch to be used all year round by students and the public regardless of the weather conditions and the proposal would also re-site the existing rugby pitch with improved drainage also increasing the usability. It is likely that the proposed development would increase enthusiasm for sport which is then likely to create a healthy lifestyle, prevent illness and promote social inclusion and community cohesion. Paragraph 73 of the NPPF states "*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.*" The proposed development is therefore in accordance with the NPPG in relation to Open Space which states the public value of the open space should be taken into account, in this instance the added value of the improved sports facilities gives benefits to the community, in turn giving the opportunity for health and wellbeing benefits.

- 7.20 Therefore, it is considered that the proposed development would have limited impact upon the open space, sport and recreation facilities within the local community. The proposal is therefore considered in accordance with the NPPF (2012) within paragraphs 73 and 74 and compliant with policies CFX, R1 and R5 of the Harrogate District Local Plan (2001) due to the proposed development providing the additional and enhanced provision for outdoor sports facilities, of which would be of sufficient benefit to the development of sport and outdoor space to outweigh the detriment caused by the loss of the playing fields.

Biodiversity, Habitats, nature conservation and protected species

- 7.21 The impact of the proposed development upon the biodiversity, habitats, nature conservation and protected species has been taken into account. It is noted that objections have been raised in relation to the impact of the proposed development upon bat species and it is acknowledged that the proposed development may have an impact upon any potential bat species due to the proposed floodlighting. The application was subject to consultation with NYCC Ecology, their response dated 5 July 2016 raised no objection to the proposal however the response states that *'artificial lighting is known to have an adverse effect on wildlife species active at night including bats which may be disturbed or discouraged from using breeding and resting places, commuting routes or foraging areas.'* It is considered that the proposed hours of use (until 20:00 on week nights and 18:00 on weekend and bank holidays) and the fact that the floodlights would only be use when natural light is insufficient would limit the impact of the proposed development upon biodiversity. Therefore, it is considered that a condition for a lighting assessment as advised by the Harrogate Environmental Health Officer (mentioned in para. 7.10) is appropriate to ensure no adverse impacts upon the bat species within the surrounding area.
- 7.22 Therefore, it is considered that with the inclusion of a condition to ensure a lighting assessment is carried out and adhered to, the proposed development is in accordance with paragraphs 109 and 118 of the NPPF (2012) and policy EQ2 of Harrogate District Local Plan (2001) due to the limited impact the proposed development would have upon the biodiversity, habitats, nature conservation and protected species.

Drainage and flood risk

- 7.23 In relation to drainage and flood risk with regards to the proposed development it is acknowledged that the application site is not within a flood risk zone. The application was subject to consultation with the SUDS & Development Control officer and their response dated 26 April 2017 indicates that the further information provided is satisfactory in relation to the proposed drainage of the development. However, they recommend that a prior to development condition relating to a detailed design, associated management and maintenance plan of surface water drainage for the site should be included within any grant of planning permission given.
- 7.24 Therefore, it is considered that with the inclusion of a condition in relation to detailed design, associated management and maintenance plan of surface water drainage for the site, the proposed development is it is considered acceptable in terms of flood risk and drainage and in accordance with paragraph 103 of the NPPF (2012).

Management, Security and the fear of crime

- 7.25 It is acknowledged that objections have been raised in relation to the community use of the proposed development and that no further facilities have been provided in relation to toilet and changing facilities as part of the proposed development. Consideration has been given to the impacts of the community use of the proposed development and it is noted that the hours allowed within the proposed development for community use are relatively extended, with the facility proposed to be used on weekday evenings until 20:00, Saturdays between 09:00 and 18:00 and on Sundays

and bank/public holidays between 10:00 and 18:00. It is considered that Ripon Grammar School would manage the development therefore it is considered that the current changing and toilet facilities would be included within a management plan for the development. Further consideration has been given to security and the fear of crime as an impact of the proposed the community use. The application was subjected to the consultation of the Police Architectural Liaison Officer and the responses, dated 27 June 2016 and 16 December 2016 state that *'in general terms I have no concerns with regards to the application.'* However, they recommend that should permission be granted, a condition requiring the submission of a management plan should be included.

7.26 It is also acknowledged that a maintenance scheme has been requested from Sport England within the consultation response dated 6 January 2017. It is considered that such a scheme would ensure the development is maintained to an acceptable level and would further ensure the proposed development is managed by the school to appropriate standards.

7.27 Further to the considerations and comments above, it is considered that a management plan and maintenance scheme for the proposed development should be secured. Therefore, with the inclusion of conditions relating to an appropriate management plan and maintenance scheme, which is to be approved in writing by the County Planning Authority prior to commencement, the proposed development is deemed acceptable and in accordance with the principles of the NPPF due to the consideration that there are no adverse impacts in relation to the management, community use of the development or the security in relation to crime.

8.0 Conclusion

8.1 There are no material planning considerations to warrant the refusal of this application for the construction of a floodlit 3G artificial grass pitch (7420 square metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 square metres) access gates, removal of trees and associated earthworks.

8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

9.1 For the following reasons:

- i) the proposed development would not result in an adverse impact upon the residential amenity, visual or otherwise, of existing or future occupants of the surrounding area;
- ii) the proposed development would not detract from the character or setting of the Listed Building;
- iii) the proposed development would not result in an adverse impact upon the public highways;
- iv) the proposed development would not result in an adverse impact upon open space, sport and recreation; and
- v) the proposed development generally accords with paragraphs 17, 32, 56-58, 60, 64, 72-74, 103, 109, 118, 128, 129 and 131 to 134 of the NPPF (2012), PPG (2014), and does not conflict with Policies C1, EQ2 and SG4 of the Harrogate Core Strategy (2009) and 'saved' Policies CFX, R1, R5 and HD20 of the Harrogate District Local Plan (2001).

It is recommended that **PLANNING PERMISSION BE GRANTED** for the purposes of the construction of a floodlit 3G artificial grass pitch (7420 square metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 square metres) access gates, removal of trees and associated earthworks subject to the following conditions:

Conditions

1. The development hereby permitted shall be implemented no later than the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the application form details dated 18 February 2016 and the following approved documents:
 - Location Plan, ref. RGS 792_NEWLAYOUT HD 2-11-16, rev. 01, dated November 2016;
 - Existing Pitches & Contours Plan, ref. RGS 792_TAP_1_BBB_HD 28-4-16, rev. 03, dated April 2016;
 - Proposed Contours, ref. RGS 792_NEWLAYOUT HD 2-11-16, rev. 01, dated November 2016;
 - Sales Drawing For Securimesh Fencing, ref. J6/04030, dated 14 June 2016;
 - Gate Detail – Single, ref. RIPON_GRAMMAR_SCHOOL_GATE_SINGLE_DETAIL, rev. 00, dated 21 April 2016;
 - Drainage Proposals, ref. ref. RGS 792_NEWLAYOUT HD 2-11-16, rev. 01, dated November 2016;
 - Lighting Design, ref. D27921/LKM/A, dated 28 March 2017;
 - Design & Access Statement – Ripon Grammar School, dated January 2016;
 - Ripon Grammar School – New 3G Pitch – Design & Management Notes, rev. B, dated 31 August 2016;

and the following conditions which shall at all times take precedence.

3. No part of the development hereby permitted shall be used outside of the following hours:
 - Monday to Friday 09.00 – 20.00;
 - Saturday 09.00 – 18.00; and
 - Sunday and Bank/Public Holidays 10.00 – 18.00.
4. The floodlighting hereby permitted shall be designed in accordance with “The Institute for Lighting Professionals Guidance for the Reduction of Obtrusive Light GN01:2011”
5. Prior to the development being brought into use the lighting levels for the floodlighting hereby permitted shall be assessed and verified to demonstrate that the pre-development assessment levels shown on D27921/LKM/A have been achieved. The Assessment shall be submitted to and approved in writing by the County Planning Authority.
6. No external lighting equipment other than in accordance with details approved in writing by the County Planning Authority shall be used in association with the development hereby approved.
7. Prior to the development being brought into use, a noise mitigation scheme shall be submitted to and approved in writing by the County Planning Authority, such a scheme shall:
 - a) Identify all potential noise sources;

- b) Details mitigation measures that will be implemented to ensure that any noise associated with the development does not cause detriment to amenity; and
- c) Proposals for the monitoring and review of mitigation measures for the life of the development.

Such measures to be implemented prior to the development being brought into use and shall be regular reviewed and maintained for the life of the development.

8. Prior to the development being brought into use, a Community Use Scheme including a facility management plan shall be submitted to and approved in writing by the County Planning Authority, after consultation with Sport England and the Police Architectural Liaison Officer. The Scheme shall include details of pricing policy, access by non-school users/non-members, management responsibilities for the facility and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development and adhered to throughout the life of the development.
9. Prior to the development being brought into use, a Maintenance Scheme for the artificial grass pitch including a maintenance schedule, measures to ensure the replacement of the surface of the Artificial Grass Pitch within a specified period and a mechanism for review shall be submitted to and approved in writing by the County Planning Authority, after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial grass pitches.
10. Prior to the commencement of development, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved Method Statement and Plan unless otherwise agreed in writing with the Local Planning Authority. For the avoidance of doubt, the statement shall include the following;
 - Details of site access, compound and contractor parking for the construction phase of the development;
 - Details of measures to prevent damage to the root protection areas of T5, T9, T10, T11 and T12.
 - Details of a proposed replacement for T6 Norway Maple which is to be removed as part of the development hereby permitted; and
 - Details of how any replacement planting conforms with the "North Yorkshire County Council Tree Planning Specification" document.
11. Prior to the commencement of development a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the County Planning Authority. The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

Reasons

1. To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure that the development is carried out in accordance with the approved application details.
3. To protect local amenity.
4. To minimise the impacts on biodiversity, in particular to bats and insects.
5. To ensure there are no adverse impacts in relation to the flood lighting.
6. To prevent lighting from the development from distracting highway users on Clotherholme Road and in the interest of highway safety.
7. To protect the local amenity.
8. To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.
9. To ensure that the new facilities are maintained and remain fit for purpose, and thereby continue to ensure sufficient benefit of the development to sport.
10. To protect the nature environment in relation to the trees on site.
11. To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

Informatives

1. Birds:-
If any trees or shrubs would be affected e.g. removed or cut back during the main bird nesting season (March to August inclusive) these would need to be checked for nesting birds immediately prior to works. If active nests are present, works should not proceed until all young birds have fledged the nest.

Reason:-

1. To protect the nature environment, the existing trees that are adjacent to the development site and the potential for nesting bird.
2. Gypsum:-
The site lies in Gypsum Area C which is the area of the highest potential hazard however it is considered that the proposal will not result in any significant risk to human health. The site is already in use for recreational activity, and therefore an advice note advising the applicant of the situation is considered to be sufficient in this Case.

**Statement of Compliance with Article 35(2) of the Town and Country Planning
(Development Management Procedure) (England) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

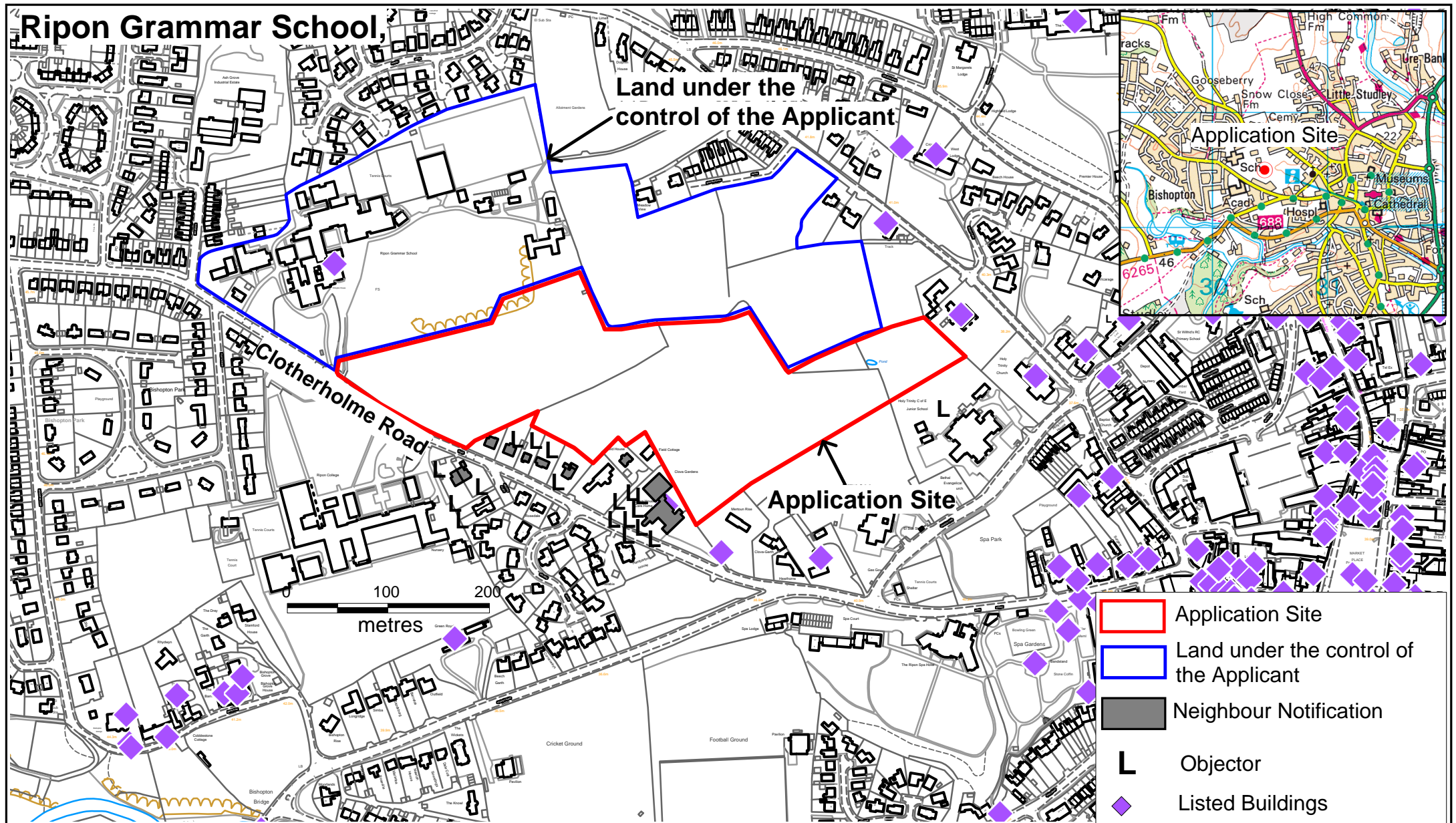
DAVID BOWE
Corporate Director, Business and Environmental Services

Author of report: James Blythe

Background Documents to this Report:

1. Planning Application Ref Number: C6/16/02735/CMA (NY/2016/0039/FUL) registered as valid on 16 June 2016. Application documents can be found on the County Council's Online Planning Register by using the following web link:
<https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

Ripon Grammar School,



- Application Site
- Land under the control of the Applicant
- Neighbour Notification
- L** Objector
- ◆ Listed Buildings

Application No : C6/16/02735/CMA

Title: construction of a floodlit 3G artificial grass pitch (7420 sq. metres) with 3 metre high mesh fencing, 8 No. 15 metre high lighting columns, re-siting of existing rugby pitch (8360 sq. metres) access gates, removal of trees and associated earthworks at Ripon Grammar School, 16 Clothierholme Road, Ripon

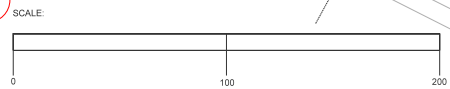
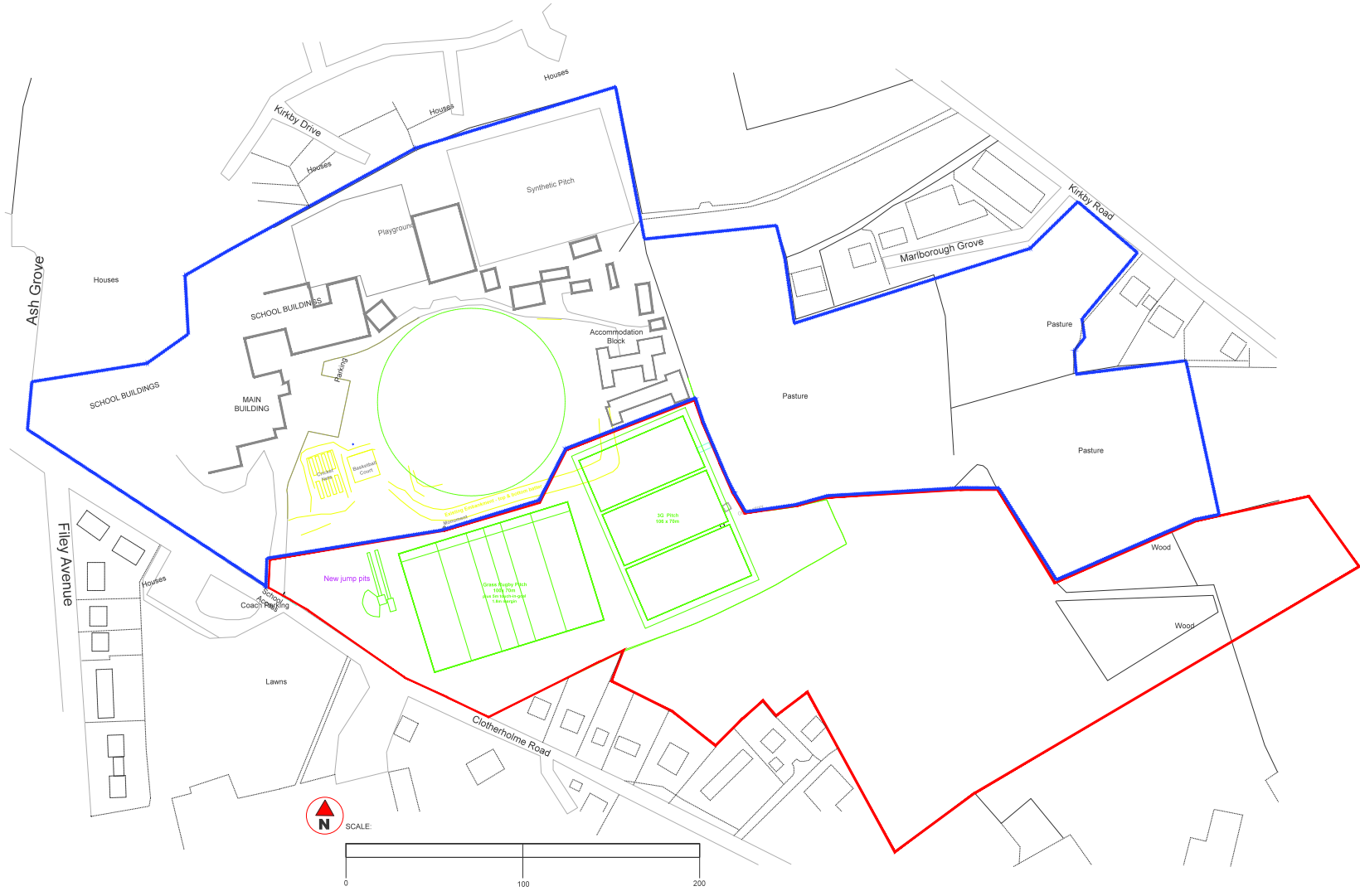


**Business & Environmental Services,
North Yorkshire
County Council
County Hall, Northallerton,
North Yorkshire. DL7 8AH**

Scale : 1:5,000
Date : June 2017

Filename : Ripon Grammar
Compilation & Analysis : JAB/JB

© 2016 This drawing is the property of ISTEc Ltd. Copyright is reserved by ISTEc. This drawing is issued on the condition that it is not to be copied, reproduced or made in any way without the prior written consent of the copyright holder.
 ISTEc Ltd. will not be held liable for improper use, or use other than directed, of this drawing or the information contained within.
 Do Not Scale. Refer to original sheet size and scale as indicated below.



Notes:

Rev.	Date	Revision Note	By
01	28/11/16	Removed Boundary line 1 Realigned new jump pits away from proposed drainage	NW

Client:
PERSIMMON HOMES YORKSHIRE LTD

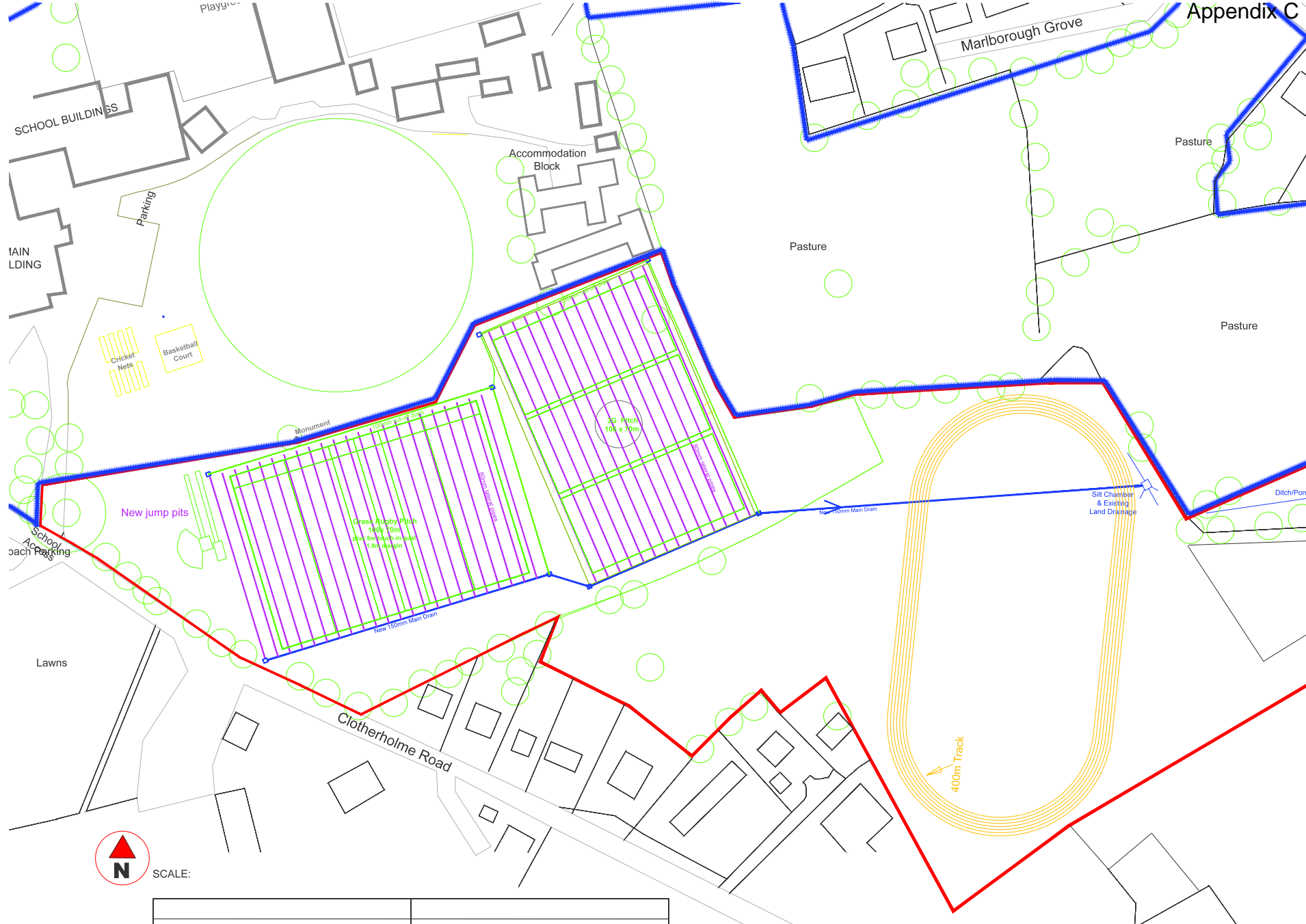
Project:
**RIPON GRAMMAR SCHOOL
 NEW 3G PITCH PROJECT**

Title:
RED & BLUE LINE DRAWING

Drawn by: DHI	Checked by:
Scale: 1:1250	Original size: A1
Date: NOVEMBER 2016	Revision: 01
Drawing Number: RGS_792_NEW LAYOUT HD 2-11-16	

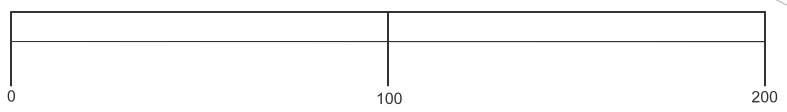


ISTEC, Overton, Lightwood Road, Buxton, SK17 6RN, UK
 Tel: +44(0)1298-213287
 Mobile: +44(0)7855-744-957
 Email: dhenstock@istec.co.uk



Appendix C

© 2014 This drawing is the property of IStEC Ltd. Copyright is reserved by IStEC Ltd. This drawing is issued on the condition that it is not duplicated, reproduced or disclosed to unauthorised persons without prior written consent of the copyright holder. IStEC Ltd. will not be held liable for improper use, or use other than directed, of this drawing or the information contained within. Do Not Scale. Refer to original sheet size and scale as indicated below.



Rev.	Date	Revision Note	By
01	08/11/16	Retrieved boundary test. Realign new jump pits away from proposed drainage.	NW

Client:
PERSIMMON HOMES YORKSHIRE LTD

Project:
**PROPOSED NEW SPORTS FIELDS
 RIFON GRAMMAR SCHOOL**

Title:
DRAINAGE PROPOSALS

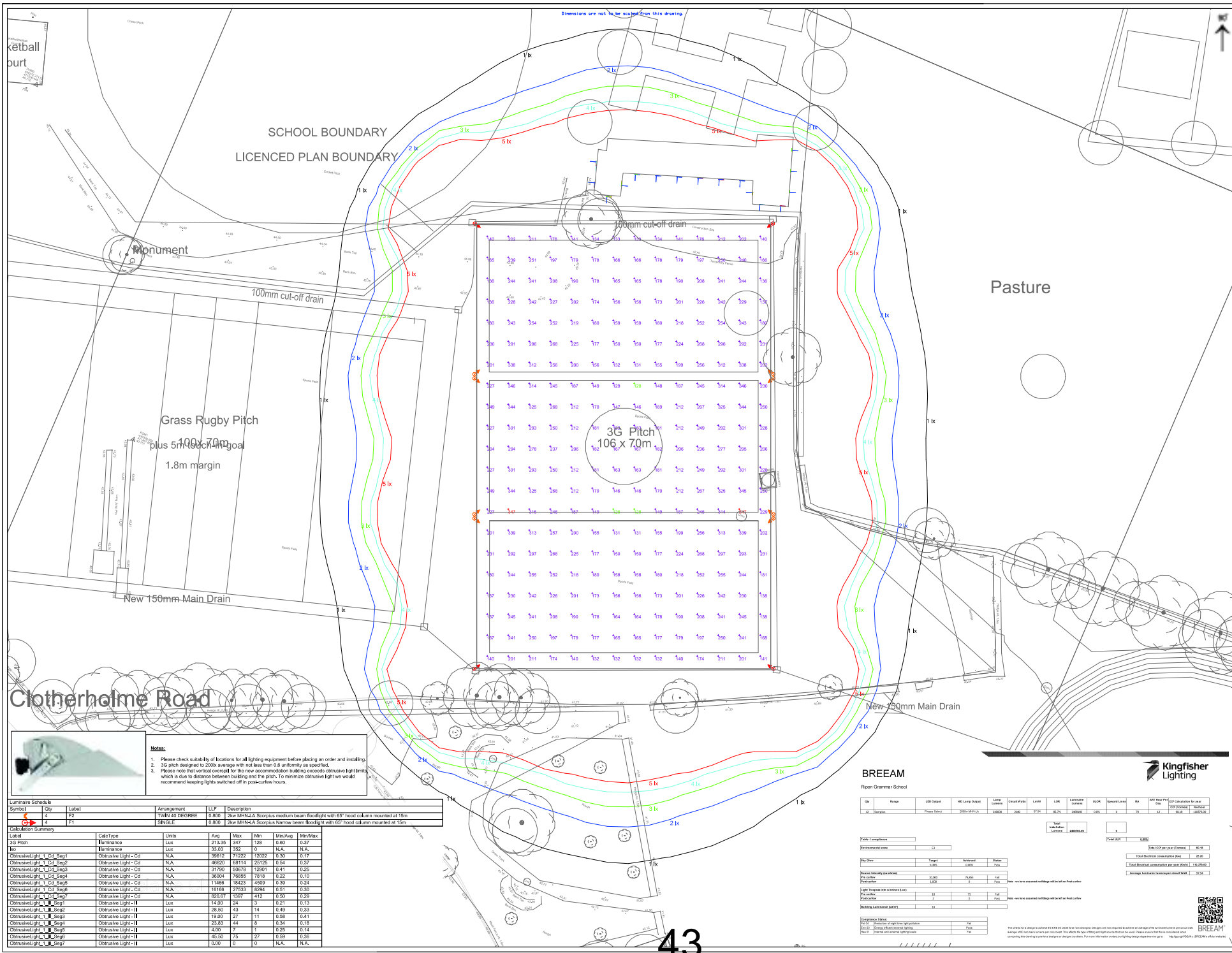
Drawn by: DHL	Checked by:
Scale: 1:500	Original size: A0
Date: NOVEMBER 2016	Revision: 01

Drawing Number:
 RSS_792_NEW_LAYOUT HD 2-11-16



IStEC, Overlaw, Lighthood Road, Buxton, SK17 6RN, UK
 Tel: +44(0)1298-213-587
 Mobile: +44(0)17830-744-957
 Email: dhenstock@yahoo.co.uk

Revision	Date	Description	Author



Luminaire Schedule

Symbol	Qty	Label	Arrangement	LLF	Description
(Symbol)	4	F2	TWIN 40 DEGREE	0.800	2xw MH-A Scopus medium beam floodlight with 65" hood column mounted at 15m
(Symbol)	2	F1	SINGLE	0.800	2xw MH-A Scopus narrow beam floodlight with 65" hood column mounted at 15m

Calculation Summary

Label	Call-Type	Units	Avg	Max	Min	Min/Avg	Min/Max
3G Pitch	Maintenance	Lux	213.35	347	126	0.58	0.37
Past	Maintenance	Lux	33.03	352	0	N/A	N/A
Obsusvelight_L_CS_Seg1	Obsusvelight-Cg	N/A	39612	71222	12022	0.30	0.17
Obsusvelight_L_CS_Seg2	Obsusvelight-Cg	N/A	46620	98114	25125	0.54	0.37
Obsusvelight_L_CS_Seg3	Obsusvelight-Cg	N/A	37750	50978	12901	0.41	0.25
Obsusvelight_L_CS_Seg4	Obsusvelight-Cg	N/A	36504	78855	7818	0.22	0.10
Obsusvelight_L_CS_Seg5	Obsusvelight-Cg	N/A	11488	18623	4809	0.39	0.24
Obsusvelight_L_CS_Seg6	Obsusvelight-Cg	N/A	16166	27633	8294	0.51	0.30
Obsusvelight_L_CS_Seg7	Obsusvelight-Cg	N/A	82067	13597	412	0.50	0.29
Obsusvelight_L_CS_Seg8	Obsusvelight-Cg	N/A	14200	24	3	0.21	0.13
Obsusvelight_L_CS_Seg9	Obsusvelight-Cg	N/A	28.59	43	14	0.59	0.33
Obsusvelight_L_CS_Seg10	Obsusvelight-Cg	N/A	19.60	27	11	0.58	0.41
Obsusvelight_L_CS_Seg11	Obsusvelight-Cg	N/A	23.83	44	8	0.34	0.18
Obsusvelight_L_CS_Seg12	Obsusvelight-Cg	N/A	45.00	17	1	0.25	0.14
Obsusvelight_L_CS_Seg13	Obsusvelight-Cg	N/A	45.50	75	27	0.59	0.36
Obsusvelight_L_CS_Seg14	Obsusvelight-Cg	N/A	0.00	0	0	N/A	N/A

- Notes:**
- Please check suitability of locations for all lighting equipment before an order and installing.
 - 3G pitch designed to 200k average with not less than 0.6 uniformity as specified.
 - Please note that vertical coverage for the new accommodation building exceeds observance light limit which is due to distance between building and the pitch. To minimize observance light we would recommend keeping lights switched off in post-curtain hours.

BREEAM

Kingfisher Lighting

For our LED lighting designs a 0.9mf has been used. If this differs from the maintenance period for this project then you must advise us accordingly.

Project Title
Ryon Grammar School

Scale
1:400 at A1

Date
28/3/2017

Project No
B2792A

Drawing No
BD7961/LKM/A

Lighting Designer
Liam Wickham

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

6 June 2017

C6/17/01073/CMA - Planning Application for the Purposes of retrospective application for the erection of 2 steel storage containers (25 sq. metres) on Land at Willow Tree Community Primary School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on Behalf of the Governing Body (Harrogate District) (Harrogate Central Electoral Division)

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 Retrospective Planning application for the purposes of the erection of 2 steel storage containers (25 sq. metres) on land at Willow Tree Community Primary (CP) School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on behalf of the Governing Body.
- 1.2 This application is subject to an objection from the local planning authority (Harrogate Borough Council) on the grounds of design impacts on the area and is therefore, reported to this Committee for determination.

2.0 Background

- 2.1 A plan showing the application site is attached to this report.

Site Description

- 2.2 Willow Tree Community Primary School is located to the east of Harrogate. The school occupies a site that has numerous residential properties and adjacent to Wetherby Road, which is to the south, a main public highway into Harrogate itself. St Nicholas Road is to the west and Fairfax Avenue is to the north. Between the public highway and the school is the school building formerly known as Wedderburn Infant and Nursery School which shares vehicular and pedestrian access into the school site.
- 2.3 The school was formerly known as Woodlands County Junior School prior to its amalgamation with Willow Tree Community Primary School and this building is now known as the 'Jepson' block. The 'Jepson' block is a red brick built structure which incorporates a pitched roof. To the immediate south of this building is a paved area.
- 2.4 The school's main building is a single storey, red brick structure which incorporates a mixture of flat and pitched roofs. It is known as the 'Drummond' block. To the east of the main school building are two temporary classroom units which were permitted by planning permission ref. C6/79/923/R/CMA

(granted on the 29 July 2010). These units (no's 1315 and 1316) were subject to a further application to retain them on site for a further 6 years (ref. C6/16/03169/CMA). This was granted planning permission on the 15 September 2016. On the schools southern boundary there is a brown storage unit which has deemed permission as it has been in place for over 10 years on site, which has been verified with the school and proof being sent in with this application.

- 2.5 To the east the boundary treatment consists of an approximately 1.2 metre high wooden picket fence with several deciduous trees of varying age. The nearest residential property is also located to the east, this is number 105 Wetherby Road and this property is approximately 28 metres from the application site. To the south the school campus is screened by a mixture of mature, intermittently planted trees and a mature, approximately 1.4 metre high hedgerow. Due to the land sloping slightly from the nearby Wetherby Road into the site, the hedgerow occupies a more elevated position in relation to the main school site.
- 2.6 There are no planning constraints applicable to the application site.

Planning History

- 2.7 There following planning history relating to the proposed development site is considered relevant to the determination of this application;
- C6/16/03119/CMA – Granted planning permission on 7th February 2017 for the 'erection of a steel storage container (8 sq. metres)'. This permission has not yet been implemented and is a temporary permission which expires on 7th February 2023.
 - C6/07/04676/CMA - Granted planning permission on 16th January 2008 with the description 'the erection of a storage container'. This was a double storage unit being 4m by 4.2m. This permission expired on 16 January 2011.
 - C6/07/01398/CMA - Granted planning permission on 13th June 2007 with the description 'the erection of a new steel container for storage of play equipment'. Although the description of this application states a new steel storage container this application is only an amendment to permission ref. C6/79/923/J/CMA moving the container south onto the hardstanding north of the primary school building and west of the Sure Start of the boundary of the site. This permission expired on 10 June 2010.
 - C6/06/06273/CMA – Granted planning permission on 25th January 2007 with the description 'the erection of a new steel container for storage of play equipment'. The location of the unit was east of the main school building north the primary schools hardstanding. This permission expired on 24 January 2010 but was superseded by permission C6/79/923/K/CMA.
 - C6/04/02604/CMA – Granted planning permission on 13 July 2004 for the erection of a metal storage shed. This permission expired on 12 July 2009. This unit has since been removed off site.

3.0 The Proposal

- 3.1 Retrospective Planning permission is sought for the erection of 2 steel storage containers (25 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG on behalf of the Governing Body.
- 3.2 This application is to regularise two existing storage units where the original permissions have expired. The first of which is a double storage container (Ref. C6/07/04676/CMA), coloured green which was erected on is in 2008 after having permission granted on 16 January 2008. This temporary permission expired 16 January 2011 and has not been renewed since. The unit is located on the southern boundary of the school site being able to be viewed from outside the school site south on Wetherby Road. The unit is made of a standard corrugated metal, coloured green and is 4.2 metres wide by 4 metres in length, with a height of 2.1 metres.
- 3.3 The second unit was granted permission in 2007 (C6/07/01398/CMA) and this expired on 10 June 2010 but the unit has not been removed. This unit is located behind the main school building on the east of the site and is not viewable from Wetherby Road or from outside the school site. It is also coloured green and is a standard corrugated metal, this unit is 4 metres in length and 2.1 metres wide with a height of 2.1 metres.

4.0 Consultations

- 4.1 The consultees responses summarised within this section of the report relate to responses to the consultation on 6 March 2017.
- 4.2 **Harrogate Borough Council (Planning)** – a response was received on 3 April 2017 objecting to the application with observations on the grounds of the design of the storage containers as it detracts from the visual amenity of the locality contrary to the NPPF, Saved Local Plan Policy HD20 and Core Strategy policy EQ2. They also state that any permission should be a temporary permission so a permanent replacement can be provided in the future.
- 4.3 **Highway Authority** – A consultation was sent on 6 March 2016 and no response has been received to date.

Notifications

- 4.4 **County Councillor Jean Butterfield** – Was notified of the proposal on 6 March 2017.

5.0 Advertisement and representations

- 5.1 The proposal has been advertised by means of 2 Site Notices posted on 23 March 2017 (responses to which expired on 13 April 2017). The Site Notices were posted in the following locations: one on the entrance to the south of the application site another further along the school boundary on the south of the site along Wetherby Road.

- 5.2 With respect to Neighbour Notification, in accordance with the County Council's adopted Statement of Community Involvement, it has been considered that the posting of a Site Notice, rather than wider neighbour notification has been an effective means of drawing the attention of local residents to the existence of the planning application due to the small-scale nature of the proposal.
- 5.3 No representations have been received in response to the abovementioned advertisement of the application.

6.0 Planning policy and guidance

National Planning Policy

- 6.1 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:
- National Planning Policy Framework (NPPF) (published March 2012)

National Planning Policy Framework (NPPF)

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.
- 6.3 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government has set down its intention with respect to sustainable development stating its approach as *"making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same"*. The Government defines sustainable development as that which fulfils the following three roles:
- **An economic role** – development should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation;
 - **A social role** – development supporting strong, vibrant and healthy communities; and,
 - **An environmental role** – development that contributes to protecting and enhancing the natural, built and historic environment and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4 The NPPF advises that when making decisions, development proposals should be approved that accord with the Development Plan and when the Development Plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this framework indicate development should be restricted.
- 6.5 This national policy seeks to ensure that there are positive improvements in people's quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.6 Paragraph 17 within the Core Planning Principles of the NPPF states factors which should underpin planning decisions. The relevant policies for this proposed development include:
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
 - *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.*
- 6.7 In addition, Section 7, entitled '*Requiring Good Design*', states that '*good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*' paragraph 56.
- 6.8 Paragraph 58 within Section 7 (Requiring Good Design) of the NPPF also states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
 - and are visually attractive as a result of good architecture and appropriate landscaping.
- 6.9 Paragraph 60 states that '*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness*' and paragraph 61 states that '*Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond*

aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’.

- 6.10 Paragraph 64 states that *‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’*
- 6.11 Paragraph 70 within Section 8 (Promoting healthy communities) of the NPPF states that planning policies and decisions should *“plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments”*.
- 6.12 The NPPF emphasises the importance of ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. To this end, within Paragraph 72 it states that *“Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- *give great weight to the need to create, expand or alter schools; and*
 - *work with school’s promoters to identify and resolve key planning issues before applications are submitted”*.

National Planning Practice Guidance (PPG) (2014)

- 6.13 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Design:

- 6.14 This states how good design is essential to sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also *“reflect an areas function, history, culture and its potential need for change’*. Ensuring a development can:
- deliver a wide range of planning objectives.
 - enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.
 - address the need for different uses sympathetically.
- 6.15 It is noted within the guidance that good quality design is considered to be *‘an integral part of sustainable development’*. To assist in the assessment of the design of a new development, it is noted that the following considerations be taken into account:
- *‘Layout – the way in which buildings and spaces relate to each other;*

- *Form – the shape of buildings;*
- *Scale – the size of buildings;*
- *Detailing – the important smaller elements of building and spaces*
- *Materials – what a building is made from’.*

The Development Plan

- 6.16 Notwithstanding that the abovementioned national planning policy is a significant material consideration, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the Development Plan consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils ‘saved’ under direction of the Secretary of State; and,
 - any planning policies contained within Development Plan Documents adopted under the Local Development Framework regime.
- 6.17 The Development Plan for the determination of this particular application comprises the following:
- The extant policies of the Harrogate District Core Strategy (2009);
 - The ‘saved’ policies of the Harrogate Borough Local Plan (2001);
- 6.18 The Harrogate District Core Strategy (2009) has particular relevance in the determination of this application and the policy most relevant include:
- Policy SG4 (entitled ‘Design and Impact’)
- 6.19 Policy SG4, entitled ‘Design and Impact’ advises that all development proposals should ensure that *‘the scale, density, layout and design should make the most efficient use of land’*, and that the *‘visual, residential and general amenity should be protected and where possible enhanced’*. This policy is considered partially consistent with the NPPF’s objectives of presumption in favour of sustainable development. Specifically as outlined in paragraph 17 of the Framework, which relates to the importance of achieving a good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Paragraph 60 of the NPPF states that *‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes’*. Furthermore, paragraph 61 states that design goes beyond ‘aesthetic considerations’. Therefore, it is considered that partial weight can be given to this policy in the determination of this application.
- 6.20 In addition to the Harrogate District Core Strategy (2009) the Harrogate District Local Plan (2001) also warrants consideration in relation to this proposal. The policy most relevant include:
- ‘Saved’ Policy HD20 (entitled ‘Design of New Development and Redevelopment’)

- 6.21 'Saved' Policy HD20, entitled 'Design of New Development and Redevelopment', advises that proposals must take into account the following design principles:
- *'The use and application of building materials should respect materials of neighbouring and the local area;*
 - *New development should be designed with suitable landscaping as an integral part of the scheme;*
 - *Special consideration will be given to the needs of disabled and other inconvenienced persons, particularly in proposed developments to which there will be public access;*
 - *New development should respect the privacy and amenity of nearby residents and occupiers of adjacent buildings;*
 - *New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment'.*
- 6.22 This Policy is considered partially consistent with the NPPF's objectives of achieving sustainable development through good design, as outlined in Chapter 7, in particular as detailed in paragraphs 56 and 58, which relate to development respecting the character of the area. It is noted, that the NPPF states that *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation'*. Paragraph 61 states *'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'*.
- 6.23 Furthermore, paragraph 64 states that *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'*. In terms of the design aims of Policy HD20, it is therefore considered that the policy is broadly consistent with the aims of the National Planning Policy Framework (2012) and, therefore, partial weight should be afforded Policy HD20 in relation to the determination of this application.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are the principle of the development, location and cumulative impacts, design, landscape and visual impact and residential amenity.

Principle of the proposed development

- 7.2 The retention of these units is required for the purpose of additional outside storage space for the school. It is acknowledged that paragraph 72 of the NPPF seeks to ensure that proposals for development on schools is considered positively and should be given great weight when being

determined so that the needs of the school can be met. This is also supported by Paragraphs 17 and 70 of the NPPF which state the importance of planning positively for community assets.

- 7.3 The objection raised by the Local Planning Authority on the design impacts of the unit located on Wetherby Road are noted. It is though considered on balance this application should be considered using wider material planning considerations, including the need for the proposal. Whilst the Local Planning Authority cites 'saved' Policy HD20 as a part of the policy reason to object to the proposal, the County Council in this report has already considered that this policy is not fully consistent with the NPPF as the NPPF goes into further detail on how these design aspects cannot be dealt with in isolation. The NPPF states in paragraphs 60 and 61 that although design is important '*securing high quality and inclusive design goes beyond aesthetic considerations*'. Therefore in this instance the design principles are still important and this policy relevant, however the proposal needs also to be looked at from other perspectives.
- 7.4 One of the reasons cited by the applicant for retaining metal storage containers is that previous wooden storage sheds have been targeted by arsonists. One of the relevant criteria of 'saved' Policy HD20, is '*New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment*', which is consistent with Paragraph 58 of the NPPF also which states proposals should create '*safe environments*' where the fear of crime does not affect the area. It could be considered that the steel container would help provide a safer environment considering the fires the previous wooden units have been subject to.
- 7.5 This application must be determined with more than recognition of design based policies. The NPPF paragraph 72 states that applications for educational establishments should be supported and given 'great weight'. Given this is an application, for such an establishment, this must be given serious consideration and weight in the determination of this proposal, notwithstanding the aforementioned design considerations. It is therefore considered that the principle of the development is accepted and in accordance with paragraph 17, 70 and 72 of the NPPF, notwithstanding the deliberation of all other material considerations relative to the determination of this application.

Location and Cumulative Impacts

- 7.6 A need has been identified by the school and currently, these units in this location are the schools most effective method to meet that need. This application is, ultimately, a balanced consideration between design and the needs of the school. Paragraph 72 of the NPPF says that proposals for educational establishments should be 'supported' and afforded 'great weight'. In order to recommend refusal for these units, it would need to be demonstrated that the proposed design was 'unacceptable' and there were significant cumulative impacts on the immediate environment in the proposed locations. It is not considered that this has been demonstrated regardless of the simplicity of design for the double unit located on the south of the school site or the unit behind the main school building. It is acknowledged that

Harrogate District Planning Department requested the permission to be on a temporary basis however it is considered these units have been on site for many years and have not effected the amenity of the area significantly in their current location, with the two units giving the school the storage space it requires.

- 7.7 Accordingly, it is considered that the need of the school is greater than the potential impacts the two metal containers have on the locality. The school is bounded by a hedgerow and intermittently planted mature trees off Wetherby Road. Whilst this boundary treatment does not totally prevent views of the container installed on the sites southern boundary, it would offer a good visual screen. A concern for the Local Planning Authority has been how the units contribute in a negative way to the local visual amenity of the area. Whilst it is acknowledged there are permissions for two other units upon the site, for the reasons already given it is considered existing landscaping and topography does afford these units an effective screen and therefore they do not significantly contribute in a negative manner to the amenity of the area.

Design

- 7.8 The containers are a very simple design, offering little in terms of architectural 'merit', however they do not significantly detract from the appearance of the area and the robust and fire proof design provides good functionality for the school, being fit for purpose in design terms. The units are very small in scale and are a lower height at 2.1 metres high than the raised fencing and hedge to the south of the unit on Wetherby Road and lower in height than the main school building and Sure Start for the single unit at the back of the school site. They are also both coloured green to help fit in within their surroundings. The proposal therefore aligns with Policy SG4 of the Harrogate Borough Core Strategy and 'saved' policy HD20 of the Harrogate Local Plan which seek to ensure design respects the setting of the area. The proposal is compliant with this and does not cause significant harm to the character of the area.
- 7.9 The concerns regarding design from the Local Planning Authority are noted and understood. However, this educational establishment also has a requirement for a secure storage space. It is acknowledged that the design of the storage units is of limited architectural merit however it is not considered they are poor design. The NPPF though also indicates that the consideration of design goes beyond simple aesthetic considerations. Furthermore, whilst design is important, the NPPF also confirms in paragraph 60 that planning decisions should not simply look to impose an architectural 'style'. Therefore this application is considered to be acceptable in regards to design as it is consistent with the NPPF Policy 58 "*Requiring Good Design*" by optimising the use of the site and Planning Practice Guidance for design by being an appropriate form, scale and function for the site.

Landscape and visual impact

- 7.10 The views of the storage units are obstructed to a large extent from members of the public either walking or driving along Wetherby Road, to the south. This is due to the boundary treatment of the school being raised from the unit located on the Wetherby Road with a 2 metre high hedge and fencing. It is therefore considered that it is not reasonable to conclude that the storage units

in combination with other approved existing on site containers would have a significantly detrimental impact upon the locality under these circumstances, with one not being visible from outside the school site and the other only partially from Wetherby Road. A request was sent to the School on 9 May 2017 asking if it would consider erecting fencing/trellising around the unit on Wetherby Road with climbers to soften the appearance on the landscape. A response was received on 24 May 2017 stating it would be difficult to install fencing and planting as the containers are located on hardstanding. The agent stating they *“cannot be seen from the road. Even in winter when the hedge isn’t in leaf it is fairly dense. Furthermore the units are actually set down below the road and footpath level as the ground banks down towards the playground from hedge”*, therefore they feel additional screening would not be necessary.

- 7.11 The officer view is that the storage units do not create any conditions which would affect or result in any adverse impacts upon the character of the area, as they have a minimal impact upon local visual amenity, with minimal views from Wetherby Road. It is therefore considered proposal is worthy of support for the storage units being granted a permanent permission as the proposal would not have a significantly detrimental visual impact upon the area and does not conflict with the Paragraph 58 of the NPPF in terms of minimising the impact upon the local character and history of the area and also does not conflict with Policy SG4 of the Harrogate Borough Core Strategy and ‘saved’ policy HD20 of the Harrogate Local Plan.

Residential Amenity

- 7.12 The nearest residential property is located to the east of the school site and is approximately 50 metres from the application site. This property has no direct, overlooking views of the units which are of a small scale, the single unit being only 2 metres wide by 4 metres in length, with a height of 2.1 metres and the double unit being only 4 metres wide by 4 metres in length, with a height of 2.1 metres. In addition, the existing boundary treatment which consists of several trees, some of which are mature offer additional screening obscuring direct views into the site as help mitigate the effects of the units. To the south the site is well screened from traffic using Wetherby Road, through a mixture of mature trees which are intermittently located along this boundary and a mature hedgerow, approximately 2 metres in height.
- 7.13 Therefore, the proposed development is considered not to be in conflict with Policy SG4 of the Harrogate Core Strategy (adopted 2009) and is consistent with NPPF Paragraph 17 because the residential amenity of current or future occupants would not be significantly detrimentally affected. With the existing hedgerow affording sufficient screening to prevent this unit on the Wetherby Road boundary and the Sure Start centre screening the other unit in the school playground. This is supported through there having been no material planning objections received from any members of the public in regards to the application.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this retrospective application for the erection of 2 steel storage containers (25 sq. metres).
- 8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

9.1 For the following reasons:

- i.) The retention of the units would not have a significantly detrimental impact upon the character of the local area;
- ii.) The proposed development would not have any cumulative impacts or have a significantly detrimental visual impact;
- iii.) The proposed development is considered consistent with the National Planning Policy Framework, Planning Practice Guidance for design and there is an absence of significant conflict with with Policy SG4 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan.

9.2 it is recommended that **PLANNING PERMISSION BE GRANTED** for the purposes of the erection of a steel storage container (8 sq. metres) on land at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG subject to the condition below:

Condition:

1. The development hereby permitted shall be maintained in accordance with the application details dated 24 February 2017 and the following approved plans:
 - Ref. 262(PL)01, Location Plan, February 2017
 - Ref. 262(PL)03, Elevation 1, February 2017
 - Ref. 262(PL)04, Elevation 2, February 2017
 - Design and Access Statement, 24 February 2017

Reason:

1. To ensure that the development is carried out in accordance with the application details.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

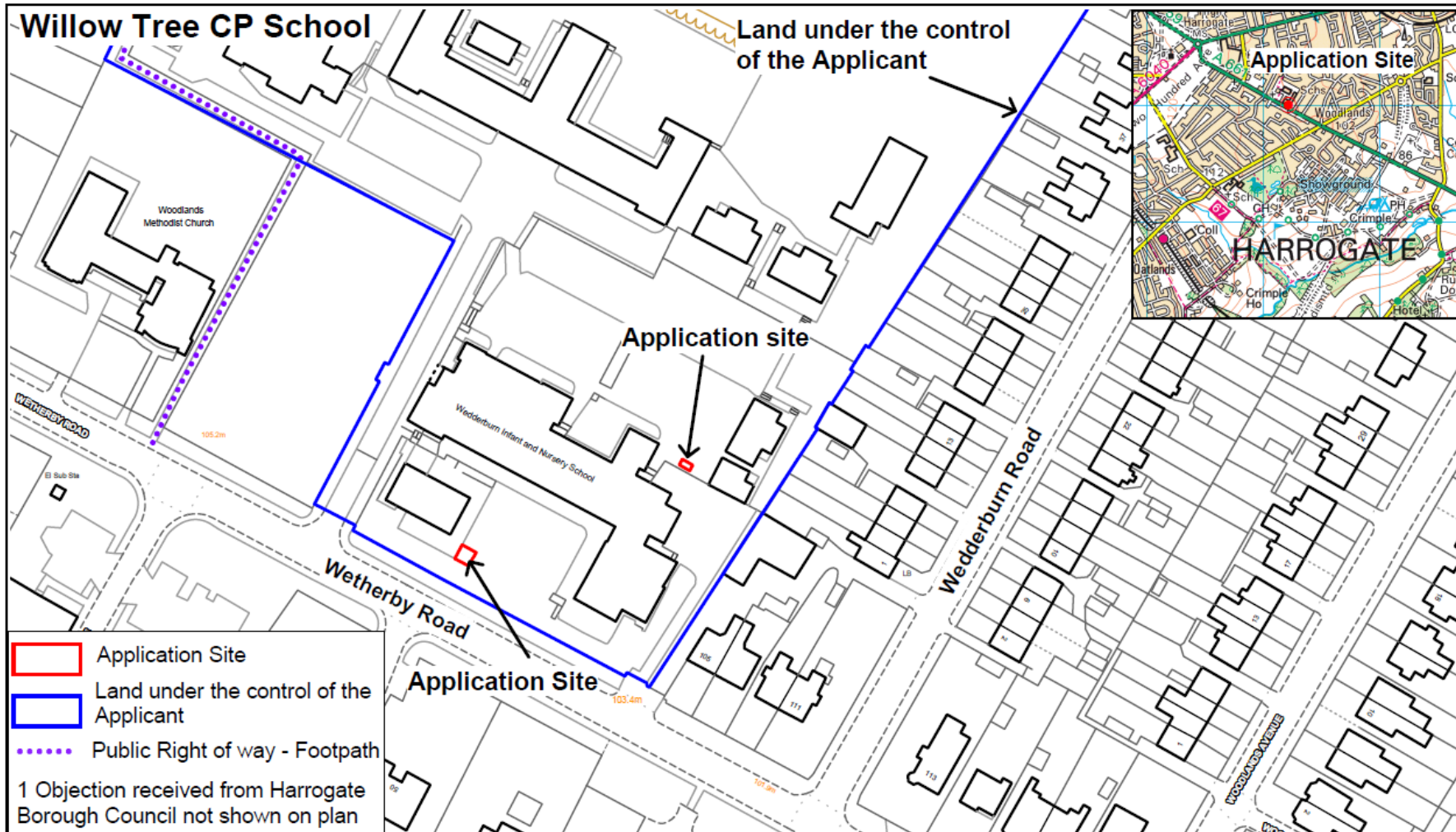
DAVID BOWE

Corporate Director, Business and Environmental Services

Author of report: Sam Till

Background Documents to this Report:

1. Planning Application Ref Number: **C6/17/01073/CMA** (NY/2017/0051/FUL) registered as valid on 3 March 2017. Application documents can be found on the County Council's Online Planning Register by using the following web link: <https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.



Application Site
 Land under the control of the Applicant
 Public Right of way - Footpath
 1 Objection received from Harrogate Borough Council not shown on plan

Application No : C6/17/01073/CMA

Title: retrospective application for the erection of 2 steel storage containers (25 sq. metres) at Willow Tree CP School, Wetherby Road, Harrogate, North Yorkshire, HG2 7SG

© Crown copyright. All rights reserved. North Yorkshire County Council. 100017946 2017

N

Business & Environmental Services,
 North Yorkshire County Council
 County Hall, Northallerton,
 North Yorkshire. DL7 8AH

Scale : 1:2500
 Date : June 2017
 Filename : Willow Tree
 Compilation & Analysis : SAT/JB

North Yorkshire County Council

Planning And Regulatory Functions Committee

06 June 2017

Items Dealt With Under The Scheme Of Delegation

Report of the Corporate Director – Business and Environmental Services

**The Items reported below have been determined between:
07 March to 07 May Inclusive**

A. COUNTY COUNCIL DEVELOPMENT

NY/2017/0074/A27

Colburn Community Primary School, Colburn Lane, Colburn, DL9 4LS

Decision Letter: 25 April 2017

Application for the approval of details reserved by condition No's 4, 5, 6, 8 of Planning Permission Ref. C1/16/00824/CM which relates to measures to prevent the deposit of mud on the public highway, Travel Plan, Construction Method Statement and soft landscaping

Details APPROVED

NY/2017/0071/A27

Le Cateau Community Primary School, Le Cateau Road, Catterick Garrison, DL9 4ED

Decision Letter: 13 April 2017

Application for the approval of details reserved by condition No's 6, 8, 9 & 10 of Planning Permission Ref. C1/16/00847/CM which relates to soft landscaping, measures to prevent the deposit of mud on the public highway, a Travel Plan and Construction Method Statement

Details APPROVED

C3/17/00276/CPO (NY/2017/0054/73A)

Lady Lumley's School, Swainsea Lane, Pickering, North Yorkshire, YO18 8NG

Decision Notice: 03 May 2017

retention of prefabricated classroom unit 3109 (178 sq. metres) for a further 6 years

PLANNING PERMISSION GRANTED subject to conditions

C2/17/00735/CCC (NY/2017/0053/73A)

Thirsk Community Primary School, Hambleton Place, Thirsk, YO7 1SL

Decision Notice: 28 April 2017

Retention of prefabricated classroom unit 1073 (76 sq. metres) for a further 6 years

PLANNING PERMISSION GRANTED subject to conditions

C4/17/00561/CC (NY/2017/0050/FUL)

Wheatcroft CP School, Holbeck Hill, Scarborough, YO11 3BW

Decision Notice: 04 May 2017

Erection of a timber, open fronted, shelter (19.8 sq. metres) to provide outdoor classroom provision, shelter and play for existing pupils

PLANNING PERMISSION GRANTED subject to conditions

NY/2017/0040/A27

**Brooklyn House, 68 Langton Road, Norton,
Malton, YO17 9AE**

Decision Letter: 23 March 2017

Application for the approval of details reserved by Condition No. 19 of Planning Permission Ref. C3/16/00147/CPO which relates to details of external finishes and colours

Details APPROVED

NY/2017/0039/A27

**Sherburn High School, Garden Lane,
Sherburn in Elmet, LS25 6AS**

Decision Letter: 23 March 2017

Application for the approval of details reserved by Condition No. 5 of Planning Permission Ref. C8/58/48AA/PA which relates to a Construction Method Statement

Details APPROVED

C8/17/89P/PA (NY/2017/0020/73A)

**Cliffe Voluntary Controlled Primary School,
Main Street, Cliffe, Selby**

Decision Notice: 17 March 2017

Retention of prefabricated classroom unit 1788 (77 sq. metres) for a further 6 years

PLANNING PERMISSION GRANTED subject to conditions

C2/17/00341/CCC (NY/2017/0004/FUL)

**Knayton Church of England VC Primary
School, Oaktree Bank, Knayton, YO7 4AN**

Decision Notice: 14 March 2017

Erection of a single storey extension (11 sq. metres) to create additional classroom space and wet room

PLANNING PERMISSION GRANTED subject to conditions

C6/17/00010/CMA (NY/2016/0250/A27)

**Killinghall Church of England Primary
School, Crag Lane, Killinghall, HG3 2DW**

Decision Letter: 16 March 2017

Application for the approval of details reserved by condition No's 9 & 12 of Planning Permission Ref. C6/16/01468/CMA which relates to on-site parking and material storage (site compound) and landscaping

Details APPROVED

NY/2016/0246/A27

**Brooklyn House, 68 Langton Road, Norton,
Malton, YO17 9AE**

Decision Letter: 24 April 2017

Application for the approval of details reserved by condition No's 7, 11 (iii), 15, 16, 17 & 23 of Planning Permission Ref. C3/16/00147/CPO which relates to details of potential land contamination, highways, Travel Plan, Construction Method Statement, landscape works and surface water drainage

Details APPROVED

C3/16/02033/CPO (NY/2016/0241/FUL) Ryedale School, Gale Lane, Nawton, Helmsley, YO62 7SL

Decision Notice: 28 March 2017

erection of two storey extension of main school block with link to existing corridor (921 sq. metres) to provide an additional nine classrooms, re-siting of prefabricated classroom unit (130 sq. metres) with two classrooms to be placed on site until 8th November 2017, the provision for an additional 30 parking spaces, creation of a footpath and associated works

PLANNING PERMISSION GRANTED subject to conditions

B. COUNTY MATTER DEVELOPMENT

NY/2017/0066/A27

Coldstones Quarry, Greenhow Hill, Pateley Bridge, Harrogate, North Yorkshire, HG3 5JQ

Decision Letter: 20 April 2017

Application for the approval of details reserved by condition No. 39 of Planning Permission Ref. C6/500/109/F/CMA which relates to a scheme to manage surface water run-off

Details APPROVED

NY/2017/0059/A27

Wykeham Quarry, Wykeham, Scarborough, North Yorkshire, YO13 9QU

Decision Letter: 03 May 2017

Application for the approval of details reserved by condition No. 35 of Planning Permission Ref. C4/11/00099/CC which relates to the replacement of a staff welfare cabin

Details APPROVED

NY/2017/0037/A27

Barnsdale Bar Quarry, Long Lane, Kirk Smeaton, WF8 3JX

Decision Letter: 22 March 2017

Application for the approval of details reserved by condition No. 12 of Planning Permission Ref. C8/2015/0211/CPO which relates to archaeological field investigations

Details APPROVED

NY/2017/0015/NMT

Allerton Waste Recovery Park, Claro House, Knaresborough, North Yorkshire, HG5 OSD

Decision Letter: 15 March 2017

Application for a non-material minor amendment for changes to the design and arrangement of the Claro House Visitor and Education Centre & ancillary site offices relating to Planning Permission Ref. C6/500/63/Q/CMA

Details APPROVED

C8/59/41/PA (NY/2017/0001/FUL)

land to the south of Newthorpe Quarry, Hall Lane, Newthorpe

Decision Notice: 13 April 2017

Construction and use of a new access road to serve the existing quarry

PLANNING PERMISSION GRANTED subject to conditions

**C5/68/2016/17529 (NY/2016/0191/COU) Inglewood Caravan Park, New Road to
Halsteads, Thornton in Lonsdale, Ingleton,
LA6 3PB**

Decision Notice: 23 March 2017

Inglewood Caravan Park, New Road to Halsteads, Thornton in Lonsdale, Ingleton, LA6 3PB

PLANNING PERMISSION GRANTED subject to conditions

**C1/16/00784/CM (NY/2016/0150/73A) Scorton Quarry, Richmond, North Yorkshire,
DL10 7EQ**

Decision Notice: 15 March 2017

Variation of condition No. 3 of Planning Permission Ref. No. C1/39/34H(I)/CM which relates to the duration of development to allow for an extension of time of the aggregate bagging plant until 31 December 2022

PLANNING PERMISSION GRANTED subject to conditions

To access the planning application details, consultation responses and a copy of the report and decision notice containing any planning conditions relevant to the development please access the County Council's Online Planning Register at the following web address:

<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx>

(Please enter the planning application reference number (NY/...) into the 'Application Reference' field).

DAVID BOWE

Corporate Director – Business and Environmental Services

Author of Report: Steph Christon

Background Documents: None

North Yorkshire County Council
Business and Environmental Services
Planning and Regulatory Functions Committee

6 June 2017

Publication by Local Authorities of Information about the handling of Planning Applications

Report of the Corporate Director – Business and Environmental Services

This report outlines the County Council's performance in the handling of 'County Matter' and County Council development planning applications for Quarter 4 (the period 1 January 2017 to 31 March 2017).

Information on Enforcement Cases is attached as an Appendix.

Recommendation: That the reported be noted.

DAVID BOWE
Corporate Director, Business and Environmental Services

Authors of Report: Jo Brownless & Amy Taylor

Background Documents to this Report: Application Files

Information on planning applications can be accessed via the County Council's Online Planning Register at the following web address:

<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx>

(Please enter the planning application reference number (NY/...) into the 'Application Reference' field).

County Matter' Planning Applications (i.e. Minerals and Waste related applications)

Table 1: 'County Matter' planning applications determined during quarter 4 (the period 1 January 2017 to 31 March 2017).

Total number of applications determined		4	
Number of delegated/committee decisions		Delegated: 3	Committee: 1
Speed of decisions			
Under 13 weeks	13- 16 weeks (if major, 13 and if EIA 16 weeks)	Over 13/16 weeks within agreed Extension of Time (EoT)*	Over 13/16 weeks without or outside of agreed EoT
0	0	4	0

*Article 34 of the Town and Country Planning (Development Procedure Order) 2015 provides for authorities to agree with the applicant to determine the planning application beyond the statutory 8/13/16 week period. This is referred to as an agreement for the extension of time (EoT) for the determination of the planning application. In instances where the application is determined within the agreed period the application is counted as satisfying the timeliness requirement.

Table 1a: Performance on 'County Matter' planning applications (NYCC Service Plan target - 60%)

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of 'County Matter' applications determined within 13/16 weeks or within agreed Extension of Time (EoT)	83.3% (no. 5/6)	100% (no.1/1)	50% (no. 2/4)	100% (no. 4/4)

Table 1b: "Special measures" ** performance on 'County Matter' planning applications

2016/17	Quarter 1	Quarter 2	Quarter 3	Quarter 4
"Special Measures" stat. No. of 'County Matter' applications determined within 13/16 weeks or within agreed Extension of Time (EoT) over rolling two year period	(01/07/14- 30/06/16) : 93% (40/43)	01/10/14- 30/09/16) 91.6% (33/36)	01/01/15 – 31/12/17) 86.1% (31/36)	1/04/15– 31/03/17 2017): 88.9% (32/36)

** Under section 62A of the TCPA 1990 LPAs making 50% or fewer of decisions on time are at risk of designation ("Special Measures")

County Council's own development' Planning Applications

Table 2: County Council's own development planning applications determined during quarter 4 (the period 1 January 2017 to 31 March 2017)

Total number of applications determined		17		
Minor¹/Major²/EIA³		Minor: 16	Major: 1	EIA: 0
Number of delegated/committee decisions		Delegated: 15		Committee: 2
Speed of decisions				
Under 8 weeks	8- 13 weeks (if Major)	13- 16 weeks (if EIA)	Over 8/13/16 weeks within agreed Extension of Time (EoT)	Over 8/13/16 weeks without or outside of agreed EoT
11	0	0	4	2

¹A 'minor' development application is one where the floor space to be built is less than 1,000 square metres or where the site area is less than one hectare.

²A 'major' development application is one where the floor space to be built is more than 1,000 square metres or where the site area is more than one hectare. All minerals and waste related applications fall within the definition of major development.

³An EIA development application is one considered likely to have significant environmental effects and is accompanied by an Environmental Statement.

Table 2a: Performance on County Council's own development minor planning applications (NYCC Service Plan target - 65%)

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of County Council's own development minor applications determined within 8 weeks or within agreed Extension of Time (EoT)	100% (no. 7/7)	100% (no.17/17) Cumulative total 100% (no. 24/24)	94.4% (no.17/18) Cumulative total 97.6% (no. 41/42)	87.5% (no.14/16) Cumulative total 94.8% (no.55 /58)

Table 3: List of all ‘County Matter’ planning applications in hand for more than 13 weeks and awaiting decision as at the end of Q4 i.e. 31 March 2017

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Killerby Sand and Gravel Quarry, Killerby, North Yorkshire NY/2010/0356/ENV (C2/10/02487/CCC)	Extraction and processing of sand and gravel including the construction of a site access, conveyors, bridges, associated plant and machinery with restoration to agriculture, nature conservation and wetland	22.9.10	Committee	Reported to Members at the meeting of the Committee which took place on 4 th April 2017.	Yes - further EoT secured 'til 26 th May 2017 due to awaiting the signing of a Section 106 Legal Agreement.
Blubberhouses Quarry, Kex Gill NY/2011/0465/73	Variation of condition 2 of planning permission reference C6/105/6A/PA to allow extraction of silica sand and erection of processing plant at the site until 2036	6.12.11	Committee	Additional information was received from applicant company in January of last year and, amongst others, the Highway Authority, responding to consultation, stated their comments were to be held in abeyance awaiting discussions with regard to the ' <i>corridor of interest</i> ' along the A59. It is understood that further progress is being made with proposals for a major re-alignment of the A59 at Kex Gill.	No - further EoT to be requested.
Ripon Quarry, North Stainley NY/2011/0429/ENV (C6/500/95/D/CMA)	Extension to existing sand and gravel workings	07.12.11	Committee	Public consultation has been undertaken on the further environmental information received from the applicant company and work continuing on progressing through responses received.	No - further EoT to be requested. extension to be requested

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Darrington Quarry, Darrington Leys, Knottingley NY/2012/0020/73 (C8/40/8AH/PA)	Application to vary condition no's 1, 2, 29, 30, 31 and 32 of Planning Permission C8/40/8AF/PA for a new restoration scheme, retain the existing plant and to extend the time period in which to implement the restoration scheme	20.01.12	Committee	Awaiting revised details.	No
Land at Walshford Bridge, Near Walshford, Wetherby NY/2012/0297/FUL (C6/135/10/B/CMA)	Construction of a waste transfer station building, operational concrete pad, vehicle access to the highway, skip storage, staff parking, ground, flood alleviation measures and landscaping, including tree planting, biodiversity enhancement & perimeter fencing	18.12.12	N/A	On 19 April 2017 the application was ' <i>finally disposed of</i> ' under the provisions of Article 40(13) of the Town and Country Planning (Development Management Procedure) Order 2015.	N/A
Ripon Quarry, North Stainley, Ripon, North Yorkshire, HG3 3HT NY/2015/0306/ENV (C6/500/277/CMA)	Planning Application accompanied by an Environmental Statement for the variation of condition No's 10 (duration of development), 11 (definition of development), 43 (maintenance) & 44 (landscape and restoration) of Planning Permission Ref. No. C6/500/95B & C2/99/045/0011 for the continuation of sand & gravel extraction for a further 4 years after 31 December 2015 and the submission of a revised restoration scheme	11.11.15	Committee	Awaiting responses from the applicant to objections received from neighbouring residents. Work continues on reviewing consultation responses received and any issues arising.	No – EoT to be requested

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Former Snaith (Pollington) Airfield, Great Heck, Selby NY/2015/0313/FUL (C8/2016/0008/CPO)	Erection of a Class B2 wood processing facility (4930m ²), demolition of the existing pellet mill (approx. 2400m ²), installation of two existing prefabricated units (both circa 87m ²), construction of internal roadways, construction of a vehicle washing facility, construction of hardstanding to create a lorry park for 80 HGV parking bays (8057m ²), construction of hardstanding for 80 car and van parking bays (2162m ²), amended hours for HGV's and other vehicles entering and leaving the site, construction of 5m high push walls, construction of hard standing (30800m ²) for storage and external processing of waste wood, construction of associated plant and equipment, construction of office and welfare building (240m ²), construction of surface and sub- surface attenuation ponds and drainage systems, associated boundary treatment, external lighting and landscaping	17.12.15	Committee	The application was reported to Committee on 13 th December 2016 following Members' Site Visit on 30 th November 2016. Members resolved to grant permission subject to amendments to two conditions (hours & wheel wash) and officer negotiation on the detail of the Section 106 Agreement and subsequent completion. The final draft Section 106 Agreement is awaiting approval from applicants	Yes- Extension of time until 2 June 2017 agreed

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Forcett Quarry, East Layton, Richmond, North Yorkshire NY/2016/0042/ENV (C1/16/00174/CM)	variation of condition no's 1 & 15 of planning permission ref. C1/29/15P/CM dated 7 September 2011 to allow the continuation of limestone extraction for a further 10 year period until 31 August 2026	03.03.16	Committee	The application was reported to Committee on 25 th October 2016 Members resolved to grant planning permission subject to prior completion of Legal Agreement. Awaiting completion of Legal Agreement before planning permission is issued. Engrossments circulated for signature.	Yes- Extension of time until 2 June 2017 agreed
Womersley Quarry, off Stubbs Lane, Womersley, DN6 9BB NY/2016/0073/ENV (C8/41/107A/PA)	variation of condition No's 1, 2, 3, 5, 6, 14, 18 & 20 of Planning Permission ref. C8/2012/0035/CP dated 4 September 2012 for the continuation of tipping of colliery waste from Kellingley Colliery and soil materials from other locations for a further two years until 13th May 2018, revised tipping materials and revisions to the vehicle route, revised restoration scheme and landscaping	12.05.16	Committee	Awaiting further information from the applicant on revised restoration scheme prior to re-consultation	Yes until 10 th February 2017- to be requested upon receipt of the further info
Scorton Quarry, Richmond, North Yorkshire NY/2016/0094/ENV (C1/16/00507/CM)	variation of condition No's 1, 20, 23 & 52 of planning permission ref. C1/39/34G to allow the continuation of sand and gravel extraction for a further 4 year period until 31 December 2020 with final restoration by 31 December 2021 and removal of the plant site by 31	21.06.16	Committee	The application was reported to Committee on 4 April 2017 Members resolved to grant planning permission subject to prior completion of Deed of Variation Legal Agreement. Awaiting completion of Legal Agreement before planning permission is issued.	Yes- Extension of time until 2 June 2017 agreed

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
	December 2022 and amendments to the phasing and direction of working and a reconfigured layout for the conveyor			Draft Deed of Variation has been sent to the applicants solicitor and currently awaiting comments	
Brotherton Quarry, Byram Park, York Road, Knottingley, Brotherton NY/2016/0087/73A (C8/50/0220/PA)	variation of condition No. 6 of Planning Permission Ref. C8/2013/1064/CPO to refer to an updated Dust Monitoring Scheme which removes the requirement to actively monitor for fugitive dust	29.06.16	Delegated	Awaiting completion of a legal agreement.	No – (to be requested, once draft legal agreement is in circulation)
Eller Beck, Skipton Golf Course, Skipton NY/2016/0177/ENV (C5/63/2017/18024)	variation of condition no. 2 of planning permission Ref. C5/63/2013/14200 dated 3 September 2014 for changes to the final land levels of the scheme to the east of the proposed dam structure and spillway, provide an additional kiosk on a plinth (9.3 sq. metres) and 2 No. air vents with cowlings and a fenced compound on the crest of the embankment and alter the provision of the 16th and 17th holes of Skipton Golf Club	21.9.16	Delegated	To be determined under delegated powers in May 2017	Yes until 26 th May 2017
Went Edge Quarry, Went Edge Road, Kirk Smeaton, Selby NY/2016/0185/ENV (C8/2016/1471/CPO)	8 hectare extension to the existing limestone quarry into Area 5 & 6 from the current working Area 4 and east in Area 7 to 20 metres AOD to provide 4.4 million tonnes of limestone and restore the site with	28.11.16	Committee	Further information received from the applicant (1 st March 2016) has been duly consulted upon by the County Planning Authority. Application is being progressed to Committee for determination.	No – (to be requested)

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
	engineering fill from the existing waste treatment facility to create 1 in 2.5 slopes against the exposed face				
Land to the South of Knapton Quarry Landfill Site, Knapton NY/2016/0194/ENV (C3/16/01918/CPO)	erection of a Green Energy Facility (6,342 sq. metres) (energy from waste via gasification), office reception building (91 sq. metres), substation & 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: 8.25km) to the 66kV grid via the primary substation at Yedingham	14.11.16	Committee	Awaiting further information before application is progressed to Committee for determination.	Yes until 7 April 2017
Middleton Lodge, Kneeton Lane, Middleton Tyas NY/2016/0220/73	variation of condition No's. 1, 6, 7, 10, 12, 14, 20, 24, 26, 27, 29, 30 & 33 of Planning Permission Ref. No. C1/14/00747/CM which relates to phasing and restoration	18.11.16	Committee	Awaiting further information from the applicant prior to re-consultation.	No – (to be requested upon receipt of the further information)

* The Development Management Procedure Order 2015 (Part 9, Article 40, Paragraph 13) allows for Local Authorities to “*finally dispose*” of applications for which the statutory period for determination has elapsed and the subsequent period for appealing against non-determination has passed.

Monitoring & Compliance Statistics Report – Quarter 4 (the period 1 January 2017 to 31 March 2017) 2016/2017

Table 1 – Complaints/alleged breaches of planning control received this quarter

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
County Matters						
Whitewall Quarry	Ryedale	14 (3 complainants)	Noise and blasting	Various dates between 06/01/17 and 17/03/17	County Planning Authority confirmed in writing on 22 March 2017 to all complainants, that there would be no further prior notification of blasting operations. Complainants were advised to contact site operator directly to arrange for notifications from them direct. Investigations ongoing with regard to noise complaints. Case on-going.	No
Plasmor Ltd., Heck Works, Green Lane, Great Heck	Selby	1	Alleged unauthorised storage of aggregates	09/02/17	M & C Officer visited site and operator confirmed that a planning application was being prepared to regularise the storage of aggregate in this particular location. Application has since been received and the case closed.	Yes
Allerton Waste Recovery Park (AWRP)	Harrogate	1	Alleged non-compliance with planning permission reference C6/500/63/Q/CMA	22/02/17	Complaint referred to the visual impact of AWRP on the landscape. M & C Officer confirmed compliance with planning permission reference C6/500/63/Q/CMA further to liaison with the site operator and informed complainant that a site monitoring visit was upcoming to monitor compliance. Case closed.	Yes
Pickering 1 Well site	Ryedale	3	Alleged non-compliance with planning permission reference C3/15/1507/CPO	27/02/17, 03/03/17 & 06/03/17	Various enquiries regarding the compliance with planning permission reference C3/15/1507/CPO were investigated by the M & C Officer. Compliance confirmed further to	Yes

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
					a site visit, and complainants informed. Case closed.	
Brotherton Quarry	Selby	1	Alleged debris on highway	28/02/17	Site operator contacted, who explained that measures were being taken to ensure cleanliness of the highway on a daily basis. NYCC Highways confirmed no issues. Case closed.	Yes
off Bogs Lane, Bilton, Harrogate	Harrogate	1	Alleged disposal of construction waste on land	24/03/17	M & C Officer visited site and is awaiting land registry results to be able to progress complaint. Case on-going.	No
Brickworks Plantation, Easingwold	Hambleton	1	Alleged tipping of waste clays and soils on land	27/03/17	Development understood to possibly be in relation to planning permission granted by Hambleton District Council for the erection of holiday lodges etc. M & C Officer awaiting confirmation from Hambleton DC. Case on-going.	No
County Council Development						
Richmond CE Primary School	Richmonds hire	1	Alleged unauthorised erection of fence	06/01/17	Erection fence up to two metres high was deemed as permitted development. Case closed.	Yes
Former Hirst Courtney School, Selby	Selby	1	Alleged demolition contrary to planning permission for conversion of the school into living accommodation	30/03/17	Planning permission granted by Selby District Council and therefore referred to them. Case closed.	Yes

Table 2 – Updates on ‘live’ complaints/alleged breaches of planning control received prior to this quarter

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
County Matters						
Pollington Airfield	Selby	1	Alleged non-compliance with conditions relating to storage of waste and dust	29/11/16	M & C Officer attended committee site visit to observe site and operations. Case on-going.	No.
Whitewall Quarry	Ryedale	13	Noise	Various dates between 17/10/16 and 20/12/16	Investigations ongoing with regard to noise complaints. Case on-going.	No.
County Council Development						
None.						

Table 3 – Number of complaints/alleged breaches of planning control received by quarter

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of complaints/alleged breaches of planning control received	50	33 Cumulative total no. 83	16 Cumulative total no. 99	24 Cumulative total no. 123

Table 4 – Number of complaints/alleged breaches of planning control resolved by quarter

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
Number of complaints of the total number of 'live' complaints resolved	2% (no. 1/50)	21% (no. 7/33) Cumulative total 10% (no. 8/83)	13% (no. 2/16) Cumulative total 10% (no. 10/99)	38% (no. 9/24) Cumulative total 15% (no. 19/123)

Table 5 – Number of complaints/alleged breaches of planning control resolved by quarter

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
Number of resolved complaints resolved within 20 days of receipt	100% (no. 1/1)	86% (no. 6/7) Cumulative total 88% (no. 7/8)	100% (no. 2/2) Cumulative total 90% (no. 9/10)	89% (no. 8/9) Cumulative total 89% (no. 17/19)

Existing Enforcement Issues

Formal Enforcement notices served by the County Council

No notices were served during this period.

Table 6- Monitoring and Compliance Visits undertaken in Quarter 4 (Minerals and Waste Sites only)

Site	District	Date Visited
Scorton Quarry	Richmondshire	31/01/17
Smaws Quarry	Selby	03/02/17
Went Edge Quarry	Selby	08/02/17
Escrick Brickworks	Selby	10/02/17
Ripon Quarry	Harrogate	23/02/17
Womersley Quarry	Selby	27/02/17
Coldstones Quarry	Harrogate	02/03/17
Pickering Wellsite	Ryedale	10/03/17
Blubberhouses Quarry	Craven	15/03/17
Hemingbrough Clay Pit	Selby	21/03/17
Barnsdale Bar Quarry	Selby	23/03/17

Author of report: Amy Taylor – Monitoring & Compliance Officer