

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on 6 June 2017 at 10.00 am.

Present:-

County Councillors David Blades, Robert Heseltine, David Hugill, Mike Jordan, John McCartney, Zoe Metcalfe, Richard Musgrave, Chris Pearson, Clive Pearson and Peter Sowray.

There were four members of the public in attendance.

County Councillor Eric Broadbent submitted his apologies.

1. Appointment of Chairman

Resolved -

That County Councillor Peter Sowray be appointed Chairman of the Planning and Regulatory Functions Committee, for the full term of the County Council, until the County Council elections in 2021.

County Councillor Peter Sowray in the Chair

2. Minutes

Resolved -

That the Minutes of the meeting held on 4 April 2017, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

Copies of all documents considered are in the Minute Book

3. Appointment of Vice-Chairman

Resolved -

That County Councillor David Blades be appointed Vice-Chairman of the Planning and Regulatory Functions Committee, for the full term of the County Council, until the County Council elections in 2021.

4. Declarations of Interest

There were no declarations of interest.

5. 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.

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**

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the construction of a floodlit 3G artificial grass pitch with three metre high mesh fencing, eight 15 metre high lighting columns, re-siting of existing rugby pitch, access gates, removal of trees and associated earthworks on land at Ripon Grammar School.

The application was subject to 18 objections having been raised by members of the public, a 25 signature petition and an objection from Ripon City Council in respect of the 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 aforementioned grounds of objection were detailed within the report.

In view of the objections outlined the application was reported to the Committee for determination.

Mr Michael Taylor, local resident, addressed the Committee outlining the following:-

- ◆ He indicated that he was speaking on behalf of a number of local residents.
- ◆ He considered that the application would have a significant impact on local amenity.
- ◆ He considered that there would be a significant increase in noise for local residents on evenings and weekends.
- ◆ Light intrusion would be a significant problem for local residents from the proposed eight floodlights.
- ◆ He acknowledged that the new layout for the project assisted in alleviating some of the issues of concern, however, he did not believe that this addressed all of those matters.
- ◆ He considered that the application would drastically change the area for local residents, particularly their view across the landscape, when this structure was in place.
- ◆ He noted that the report suggested that a management plan was in place to allow the school's facilities to be utilised in relation to the use of the proposed development, however, he noted that these details had not been discussed with local residents and they were unaware of these.

- ◆ He suggested that it was “madness” to remove green open space and replace with the structure proposed by the application. He suggested that there were more appropriate sites available in the area.
- ◆ He considered that there was an issue regarding safeguarding, particularly in relation to the facility being open to public use and the effect this could have on academic groups that undertook studies outside of the school hours.

Mrs Julia Fisher, local resident, addressed the Committee and outlined the following:-

- ◆ She raised concerns that she had only been informed that the meeting was taking place two days prior to the date of the meeting.
- ◆ She did not consider that the pitch was needed as there were sufficient sporting facilities already in place, both at the school and in the area.
- ◆ She highlighted health concerns that had been raised regarding the rubber crumb that was used on 3G pitches. She noted that this may be toxic and carcinogenic and investigations were currently being carried out in relation to this. She noted that there was potential for the crumb to be wind-blown to nearby gardens and residential areas and, until the health issues were clarified, it would be inappropriate for this to be put in place.
- ◆ She noted that the imposition of the structure would have a detrimental impact on the current view across to Ripon Cathedral for local residents.
- ◆ She considered that the structure would be an imposition on the pupils of the school and would also affect their view from the playing fields.
- ◆ Local residents were worried regarding the noise levels that would be generated from the facility should it be approved.
- ◆ Concerns were raised that the pitch would be directly in front of the girls’ boarding house and the potential safeguarding issues in relation to that.
- ◆ The changing/toilet facilities for the school were not near to the pitch and it was wondered whether this would lead to difficult situations both for those using the facilities and local residents.
- ◆ Overall those living near to the proposal would be adversely affected by the development.

Mr Robin McGinn, the agent for the applicant, addressed the Committee and outlined the following:-

- ◆ He explained that the application was related to the housing development taking place on a former school site in Ripon and the provision of the all-weather pitch would mitigate against the loss of the playing fields at that site, in line with the requirements of Sport England.
- ◆ The development would provide an exceptional facility that was not available elsewhere in the area and met the various planning policies.
- ◆ The provision of the facilities would be of benefit to both the school and to the local community.

- ◆ The developer acknowledged the concerns raised by local residents and had made amendments to the proposal to try and alleviate some of those concerns.
- ◆ Assessment of the proposal had deemed that to be appropriate.

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

Detailed plans, photographs and visual information were presented to complement the report.

The following update to the original report was highlighted:-

Paragraph 5.3 of the report referred to 19 residential properties having been notified of the application, however, this should have read 24.

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

- ◆ With reference to the issue raised by the public speaker regarding the short notice given in relation to this meeting it was noted that letters had been sent out to local residents advising of the meeting taking place at the same time as the agenda was published and it was suggested that the delays in receiving those letters related to the postal system.
- ◆ In respect of the issue raised regarding the potential danger to local residents from the rubber crumb contained within the 3G surface it was noted that, currently, Sport England and other agencies were recommending this type of surface to be used and, therefore, it was not considered that they had concerns with the danger of the rubber crumb. It was acknowledged that tests were being carried out in relation to the potential health risks from the use of this surface and any subsequent reports in relation to that would be brought to the attention of Members.
- ◆ Members considered that the issues relating to the location of the changing facilities and toilets had been addressed within the report satisfactorily.
- ◆ A Member considered that it was an advantage that the school would be able to have a sports pitch available throughout the year, due to the all-weather nature of the proposal.
- ◆ It was clarified that the conditions, detailed in the report, for both noise and light would provide opportunities for action to be taken to ensure the levels were appropriate for local residents should complaints arise following the opening of the facility, should it be approved.
- ◆ Issues around safeguarding and child protection were discussed and it was noted that these would be addressed by the school's management of the facility and were not specifically referred to in the application.
- ◆ It was noted that the planning application for the housing development, outlined by the agent for the applicant, would not be considered until a decision had been made on this matter.
- ◆ It was stated that the facility would be a full-sized football pitch.

- ◆ Issues around how the spillage of light into local residential areas from the floodlights would be mitigated against, and who would carry out the assessments in relation to light spillage, were outlined.
- ◆ A Member considered that the erection of the fence around the pitch was unnecessary and was particularly detrimental to the development of the application.
- ◆ A Member raised concerns regarding the opening of the facility on Sundays and Bank Holidays. In response it was noted that the applicant had reduced the number of weekday hours the facility would be open, in line with concerns raised by local residents, and it was suggested that to balance this out the use of the facilities on Sundays and Bank Holidays, for the limited hours, as outlined in the conditions, was appropriate.

Resolved -

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

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 Community Primary School, Wetherby Road, Harrogate

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine retrospective planning application for the erection of two steel storage containers (25 sq. metres) on land at Willow Tree Community Primary School, Wetherby Road, Harrogate.

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

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

Detailed plans, photographs and visual information were presented to complement the report.

It was stated that paragraph 9.2 of the report required alteration to reflect the position of there being two steel storage containers, as detailed throughout the report.

Resolved -

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

The Meeting was adjourned between 10.50am and 11.05am to participate in a National Minute's Silence in relation to a recent terrorist incident, taking place at the front of County Hall.

8. Items dealt with under the Scheme of Delegation

Considered -

The report of the Corporate Director - Business and Environmental Services outlining items dealt with under the Scheme of Delegation between the period 7 March 2017 to 7 May 2017, inclusive.

The Head of Planning Services noted that consideration was currently being given to determining a procedure whereby minor applications, with minor objections, could be dealt with through the Scheme of Delegation procedure. She noted that this issue was subject to consideration within the County Council's policy structure and the results of the determination of those proposals would be reported back to the Committee subsequently.

Resolved -

That the report be noted.

9. Publication by Local Authorities of information about the handling of planning applications

Considered -

The report of the Corporate Director - Business and Environmental Services outlining the County Council's performance in handling of "county matter" and County Council development planning applications for quarter 4 (the period 1 January 2017 to 31 March 2017).

For the benefit of new Members of the Committee the Head of Planning Services explained the tables relating to special measures on performance, the targets set and the position of the local authority in relation to those. She noted that currently North Yorkshire County Council was meeting around 88% of those targets, with the Government's requirement being 60%.

A Member, noting the legacy applications outlined in the report, provided an update in relation to Womersley Quarry, which he noted would be restored within an eight week period, and the adjacent Darrington Quarry, which he noted was not yet in a position to undertake the restoration scheme. The Head of Planning Services stated that she would follow up the issues raised by the Member and report back accordingly.

Resolved -

That the report be noted.

10. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstance

(a) Site visit - Erection of Green Energy Facility, Land south of Knapton Quarry/Landfill

(The Chairman accepted this as an urgent item due to the need to undertake the site visit, if agreed by Members, prior to the next meeting of the Committee.)

Members were advised that during the previous County Council, a site visit was undertaken to the Knapton Quarry/Landfill in respect of application C3/16/01918/CPO - (NY/2016/0194/ENV) relating to the erection of a green energy facility on the site. Following the County Council elections and subsequent changes to the Planning and

Regulatory Functions Committee it was considered appropriate that new Members of the Committee be offered an opportunity to visit the site before the application came before Members for determination.

It was noted that the previous visit had taken place on Tuesday 28 February 2017.

The Head of Planning Services indicated that should Members wish to undertake a site visit then it would be appropriate for them to be provided with the substantive report in relation to that.

Resolved -

That the Committee agrees to undertake a formal Committee site visit, for those Members who were newly appointed to the Committee following the 2017 elections, prior to the determination of the application, with arrangements made for this visit to take place at 2 pm on Friday 14 July 2017.

The meeting concluded at 11.25 am

SL/JR