



Agenda

Meeting: Planning and Regulatory Functions Committee

Venue: Remote meeting via Microsoft Teams

Date: Tuesday, 15th December 2020 at 10am

Pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held using video conferencing with a live broadcast to the Council's YouTube site. Further information on this is available on the committee pages on the Council website - <https://democracy.northyorks.gov.uk/>

The meeting will be available to view once the meeting commences, via the following link - www.northyorks.gov.uk/livemeetings Recording of previous live broadcast meetings are also available there.

Business

1. Welcome and Introductions
2. Minutes of the Meeting held on 17 November 2020. (Pages 4 to 27)
3. Declarations of Interest.

4. 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 Stephen Loach of Democratic Services (*contact details below*) by midday on Thursday 10 December 2020. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- 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.

5. **Planning application for the demolition of the existing prefabricated double classroom building with associated toilet and storage facilities (180m²) and covered areas (66m²), erection of single storey classroom extension (227m²), wall mounted external lighting, erection of two glazed canopies (76m²), removal of hedge, perimeter footpath (184.4 sq. metres), relocation of two storage sheds and shelter, installation of artificial grass, hard and soft landscaping works on land at Spofforth C E Primary School, School Lane, Spofforth**
(Pages 28 to 49)

General

6. **Publication of Developer Contribution Agreements – Infrastructure Funding Statements**
(Pages 50 to 58)
7. **Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.**

Formal remote meetings of the Committee are scheduled to take place at 2pm on Tuesday 12th January 2021 and at 10am on Tuesday 19th January 2021 – papers for these meetings will be published in due course and Members will be advised accordingly.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall,
Northallerton

December 2020

For all enquiries relating to this agenda or to register to speak at the meeting, please contact Stephen Loach, Democratic Services Officer on Tel: 01609 532216 or by e-mail at:
stephen.loach@northyorks.gov.uk

Planning and Regulatory Functions Committee

1. Membership

County Councillors (11)						
	<i>Councillors Names</i>				<i>Political Party</i>	
1	BLADES, David (Vice-Chairman)				Conservative	
2	BROADBENT, Eric				Labour	
3	GOODRICK, Caroline				Conservative	
4	HESELTINE, Robert				Independent	
5	HUGILL, David				Conservative	
6	JORDAN, Mike				Conservative	
7	McCARTNEY, John				NY Independent	
8	METCALFE, Zoe				Conservative	
9	PEARSON, Chris				Conservative	
10	PEARSON, Clive				Conservative	
11	SOWRAY, Peter (Chairman)				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	JEFFELS, David	2	
3	SWIERS, Roberta	3	
4	LUNN, Clifford		
5			
NY Independent			
	<i>Councillors Names</i>		
1			
2			
3			
4			
5			

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Microsoft Teams on 17 November 2020 at 10am.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Eric Broadbent, Caroline Goodrick, David Hugill, Mike Jordan, Cliff Lunn (as substitute for Chris Pearson), John McCartney, Zoe Metcalfe and Clive Pearson.

County Councillor Robert Heseltine submitted his apologies.

11 members of the public were present remotely to submit questions/statements.

The meeting was available to watch live via the County Council's website and a recording of the meeting is now available on the website via the following link www.northyorks.gov.uk/livemeetings

Copies of all documents considered are in the Minute Book

155 Welcome and Introductions

The Chairman welcomed everyone to the meeting and those present introduced themselves.

156. Minutes of the meeting held on 24 September 2020

In relation to the previous Minutes (Minute No. 154 - Planning application for the 2.7 ha extension to Gatherley Moor Quarry for the extraction of 50,000 tonnes of block sandstone over a period of 20 years on land at Gatherley Moor Quarry, Moor Road, Gilling West) it was noted that the resolution stated that the Committee were minded to grant Planning Permission subject to further consideration being given to the details of Condition 10, in relation to giving the local community sufficient advanced notice of any work taking place, with that process being delegated to the Head of Planning Services, following consultation with the Chairman and Vice-Chairman. The matter had been addressed to the satisfaction of the applicant and the local community, and, therefore, had received the agreement of the Chairman and Vice-Chairman, resulting in the Planning permission notice being issued accordingly.

Resolved –

- (i) That the issue highlighted above be noted;
- (ii) That the Minutes of the meeting held on 24 September 2020, having been printed and circulated, be taken as read and confirmed, to be signed by the Chairman as a correct record at the next available opportunity.

157. Declarations of Interest

County Councillor Caroline Goodrick declared a non-pecuniary interest in respect of Minute number 160 (Malton Sports Centre) in respect of her being an elected Member on Ryedale District Council, with the Sports centre being located in Ryedale District, and the Council being a major consultee in respect of the application.

158. Public Questions or Statements

The representative of the Assistant Chief Executive (Legal and Democratic Services) stated that, other than those that had indicated that they wished to speak in relation to the application below, there were no questions or statements from members of the public.

159. **C8/2019/0732/CPO - Planning Application for the purposes of the extraction and export of pulverised fuel ash ('PFA') from Lagoons C and D and Stages II and III of the Gale Common Ash Disposal Site and associated development, including the provision of processing plant, extended site loading pad, upgraded site access arrangement and facilities, additional weighbridges and wheel wash facility, extended site office and other ancillary development; highway improvement works on Cobcroft Lane/Whitefield Lane between the site and the A19 and at the Whitefield Lane junction with the A19; and a new access from Cobcroft Lane, car parking and ancillary development in connection with proposals for public access to Stage I. on land at Gale Common Ash Disposal Site, Cobcroft Lane, Cridling Stubbs, Knottingley, North Yorkshire, WF11 0BB**

Considered -

A report, and addendum report, of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the extraction and export of pulverised fuel ash ('PFA') from Lagoons C and D and Stages II and III of the Gale Common Ash Disposal Site and associated development, including the provision of processing plant, extended site loading pad, upgraded site access arrangement and facilities, additional weighbridges and wheel wash facility, extended site office and other ancillary development; highway improvement works on Cobcroft Lane/Whitefield Lane between the site and the A19 and at the Whitefield Lane junction with the A19; and a new access from Cobcroft Lane, car parking and ancillary development in connection with proposals for public access to Stage I on land at Gale Common Ash Disposal Site, Cobcroft Lane, Cridling Stubbs, Knottingley, North Yorkshire

This application was subject to eighty-six objections having been raised in respect of the proposal on the grounds of a variety of matters. These included: traffic impacts including on pedestrians, cyclists and other road users; proposed scale of extraction per year; impacts upon the residents of Whitley including those living on Whitefield Road and on the A19 and elsewhere (such as the villages of Womersley, Cridling Stubbs, Great Heck); proximity issues, vibration, noise, dust, emissions, light pollution; proposed hours of operation and duration of the development; lack of consideration of/proposal to use alternative means of transport and routing; visual impact; impact on wildlife and cumulative impact. The application was, therefore, reported to this Committee for determination.

The Head of Planning Services briefly introduced the report.

The public speakers were invited by the Chairman to present their statements as follows:-

Against the application.

John Hunter, Clerk of Whitley Parish Council, addressed the meeting from a remote location, stating the following:-

“My name is John Hunter I am the Clerk to Whitley Parish Council and I am here representing the Council and its 400 plus householders and the 200 plus children who attend the Primary School in the Village.

I would remind the planning committee of comments by our MP Nigel Adams who in fully supporting the request of residents to have the application removed refers to 744 comments from residents with approximately 700 objections. This figure contrasts significantly with the limited number of 86 objections that is quoted in the report as having been received.

Our MP correctly points out that the Coal from which ash in question was originally generated was transported to Eggborough by rail and canal and the consequent ash was delivered to Gale Common by slurry pipeline. This was in an era when environmental issues were certainly not at the top of the agenda in this country.

The committee will surely agree we live in a different world where environmental pollution and climate change is arguably the most significant issue this world has to face.

Then why is the committee embracing a transport solution that is retrograde. 22 extra HGV vehicles per hour will be passing along Cobcroft Lane, Whitefield Lane and the A19 on onwards to the rest of the road network. A constant stream of Heavy Goods Vehicles passing every 3 minutes throughout the whole day. This doubles the amount of road traffic on the A19. Yes, the A19 has capacity but it doubles the amount of traffic. Double the noise, double the fumes and double the pollution for 25 years. A quarter of a century.

Yes, the applicants are offering mitigation measures, road widening, traffic calming and a line of trees to baffle some of the sound. Mitigation measures that will be to the limited benefit of a row of ? homes on Whitefield Lane. That is it. Nothing to mitigate the impact on all the homes situated on the A19. Nothing to mitigate the impact of pollution on the lungs of primary school children that will cross the path of these lorries every single day. Not to mention the five generations of primary school children that will follow over the next 25 years.

We acknowledge that the committee do recognise in adding the condition 19 to their proposed Grant of Approval of the need for a Sustainable Mineral Transport Plan. A condition that will trigger review of alternative transport options. But this is a condition that is impotent before it starts! It only kicks in when each supply contract that is agreed exceeds 100,000 tonnes per annum. So, it is quite legitimate and possible for the contractor to set a limit of 100,000 tonnes to each supply agreement, enter into 10 separate contracts of 100,000 tonnes.

We then have to face HGV delivery of 1,000,000 tonnes per annum for 25 years. There is no imperative or incentive for the application to consider any other option than the cheapest route to market; HGV.

No need to consider alternative Sustainable Modes of Transport. Ever!

This surely flies in the face of our Nations commitment to environmentally friendly greener transport.

There are many Sustainable Options available it just needs the true commitment and goodwill of all parties involved to make it happen. Surely, the planning committee cannot entertain and subscribe to a transport solution that is in direct contradiction of the UK's avowed commitment to its responsibilities the reversal of climate change.

For this reason we ask that the committee reject this application.”

John Dodwell, Commercial Boat Operators Association, addressed the meeting from a remote location, stating the following:-

“My name is John Dodwell from the Commercial Boat Operators Association, the national association for the UK’s barge industry. Our members trade, among others, on the estuaries of the Thames, Humber, Mersey and Severn and the waterways connecting to them, such as the Aire & Calder Navigation from Goole to Leeds. As with any trade association, the CBOA promotes and protects the interests of its members. In this case, the most likely type of barge for use is not owned by an officer of CBOA.

Barges able to carry 500 tonnes operate on the Aire & Calder Navigation (relevant to this matter) each one taking off the roads 18 lorries carrying 28 tonnes. Barges emit 75% less CO2 than lorries. Even if engines were electrically powered, there would still be congestion on the roads. There would still be nasty particulates from brake pad dust; from lorry tyre wear; and from road surface erosion. None of these happen with water freight. These points have an extra validity when UK policy is to improve air quality. That this will cost industry money is not in doubt. Much social and environmental change is judged worth its economic cost. S 106 agreements are imposed via the planning system, recognising that the extra cost to the applicant is justified. We submit that the suggested use of barges in this case should, if necessary, be seen in that light.

This is especially important as there is the H&H Celcon plant at Pollington (nearly waterside) which uses 350k tonnes pa of PFA and also the possibility of a new similar facility at the waterside Kellingley Colliery site. We do not think it is acceptable for the Applicant to say it does not know where likely customers are sited; it would not have gone so far with its plans without some idea of its customers. Indeed, in their letter of 20 July, the Applicant said that if they did supply H&H Celcon, they would not be increasing road traffic in that area, only replacing the supply source by road. That suggests they have not considered alternative modes.

We welcome that the proposed Condition 19 about a Sustainable Mineral Transport Plan is tighter than what the Applicant had proposed. However, we feel it should be stronger and reflect (a) the Plan should be in place when the new development starts so it is immediately available for use; (b) the Plan should be prepared after consultation with CBOA (the Applicant has previously stated it would consult with CBOA after getting planning permission); (b) there should be an obligation to consider using the pontoon barge system we have previously described as this minimises handling costs (the Applicant has not considered this); (c) the environmental benefit of alternative modes as well as economic matters should be compared with road haulage so the Council has such information when deciding if the Plan is acceptable. In the light of net zero policy targets, costs should not be the only factor.

Separately, we have put forward to the planning officers and Committee members suggested fresh wording for the Condition.”

Ian Phillips, Cridling Stubbs Parish Council, addressed the meeting from a remote location, stating the following:-

“Let me start by thanking The Chair and the rest of The Committee for your continued interest in ensuring fair determination of EPUK Ltd’s application in respect of the Gale Common site. The parishioners of Cridling Stubbs, the closest community to the site, were incredibly grateful to you for expending the time and effort to visit the site in person earlier in the year, despite it being a long journey for many of you.

Conscious of the time constraints for today’s session, I don’t plan to go through our consultation written response again in detail.

Instead, I'd like to focus on two key questions which, it appears, are at the bottom of all this

1) Do the benefits outlined by the applicant represent sufficiently "special circumstances"?

And then, if they do;

2) Do the applicant's current plans for transporting materials away from the site pass muster in terms of safety, impact on the local community and overarching environmental policy?

Our view in Cridling Stubbs is "no" to both but, even if you view the balance of information as an impartial observer, which we're sure you're trying to do, we think the best you could do is answer "maybe" and we don't believe that's a strong enough basis to grant an application of this impact as it stands.

On the first point, the applicant justifies their proposed disruption of the Green Belt with the impact of the alternatives to extracting PFA at Gale Common – which they cite as the need to import PFA from overseas or to extract alternative materials (e.g. limescale) to be used in place of PFA in the construction industry.

However, to date, no contracts have been signed for the supply of materials for the site, making it impossible to assess the demand or the impact of refusal on UK construction.

If the demand is so great, you might expect to see numerous expressions of support from potential customers, but there have only been a handful and, crucially, the majority of these have been based overseas, meaning a) that the UK won't feel the benefit of any material extracted and that b) the environmental argument in favour of extraction is null and void. In both these circumstances, therefore, the only one to benefit will be the applicant...commercially.

On the second point, whilst the volume of HGV vehicle movements arising from the proposal is clearly at odds with environmental policy's desire to seek "greener" alternatives, the applicant argues that there is currently no viable alternative or that, where an alternative exists, it would have to be funded by a future customer.

In response, both the Commercial Boat Operator's Association and the Inland Waterways Association have written to NYCC to challenge, stating that they believe the waterway which runs adjacent to the site to be a viable alternative to road and requesting deferral of determination pending a review of the most sustainable mode of transport.

Indeed, you've already heard / will be hearing from the CBOA with further details and real world examples of how that could work in practice.

Given that the application is for the commercial benefit of the applicant, we don't see why the need to pass costs on to a hypothetical customer should be accepted as a barrier to exploring these options further prior to the application being granted.

If they truly believe in the "special circumstances" of the demand for PFA and are serious about achieving this in an environmentally conscious way, they could build the expense into the development of the site and then recoup it by including them in the costs they charge to future customers. As it stands, the only ones paying a price will be the local residents.

If allowed to proceed on the basis currently proposed, we believe any future customer wishing to use rail or waterways would be put off by the fact the applicant expects them to foot the entire bill and we'll be stuck with HGVs indefinitely.

It's also worth noting that because, as above, the applicant has yet to actually secure a commitment from any future customers for their end product, they have declined to submit the detailed transport plan you would normally expect to see.

So, again, the only one who benefits from the current approach is the applicant...commercially.

To summarise the strength of feeling on this matter in local communities, whilst the numbers in the planning officer's report don't seem to include all responses, review of the comments on the portal shows that over 700 NYCC residents have objected or expressed

concern in relation to this application, together with a number of local bodies – Parish Councils, community groups, charities etc.

A related petition has gathered well over 1,000 signatures, whilst our MP, Nigel Adams, has also written to The Committee to make it clear he endorses the concerns of his constituents and personally supports requests for refusal.

This strength of feeling serves to underline why, with 25 years impact on the green belt and local communities the consequence, including over 2 million HGV trips to and from the site over that period, granting this application, in its current form, would be a big decision to make without being absolutely certain.

Taking this into account, we would respectfully ask The Committee to refuse the application as it stands. This would allow the applicant, should they so wish, to consult further and submit an updated application that provides greater certainty on these points including confirmed UK demand for the end product, results of the feasibility study regarding alternative transport methods and a detailed transport plan, based around real world, confirmed customers.”

Tim Woodhead, Gale Common Action Group, addressed the meeting from a remote location, stating the following:-

“My name is Tim Woodhead. I am a residential Whitley and spokesperson for Gale Common Action Group.

As a group we are totally opposed to the way the applicant is planning to move the fly ash from Gale Common. The increased pollution from 260+ HGV movements to and from the site six days a week is totally unacceptable, both in its use of the existing green belt, and to the environmental damage these will cause. The plan to drive so many HGV's down the green belt road of Whitefield Lane, then accessing the A19 passing many homes and also the children's nursery and Primary School. This is an average of 1 every 3 minutes during their working hours. Anyone who lives on Whitefield Lane, or the A19, as I do, will confirm that their homes shake every time a HGV vehicle passes their home. For this to continue every 3 minutes for 12 hours of the day or 1.5 million times over the proposed 25 years is inconceivable.

Proposing so many HGV movement's through our village community appears to put profits before public health. People walking, or living along the route or children playing in their own gardens or the school playground will be exposed to breathing air polluted by their HGV emissions.

The World Health Organisation and Public Health England both confirm a clear scientific link between air pollution and respiratory disease, lung cancer, heart disease and stroke, with children proven to be at highest risk.

PM 2.5 is the most dangerous particle from HGV emissions to human health. WHO state that the threshold level of 10 is the point at which cardiopulmonary and lung cancer mortality increases, EP UK Ltd have reported that the reading of 10.8 nearest the school already exceeds this, and is therefore a danger to our children. They also state that their HGV's will have an “insignificant” increase on this, we believe any increase is again unacceptable.

None of this appears to have been considered during the application review process.

The applicant says there is no other viable method of moving the product, however the Commercial Boat Operators Association have offered a solution which mitigates the need

to the move the ash by road via Whitley. EP UK Ltd however are refusing to enter communications with the CBOA until they have received planning permission based on their preferred transport method. We find this totally unacceptable. This gives them authority to do as they want, damning the wishes of the people to whom they would harm the most.

We ask, for the sake of the people of Whitley, and particularly our children like my granddaughter Imogen, who lives on the proposed A19 route, that you turn down the application until a suitable method of transport has been agreed with all parties concerned.”

Councillor Liz Barker, Vice-Chair of Womersley Parish Council, addressed the meeting from a remote location, stating the following:-

“We dispute that “very special circumstances” exist that outweigh the development being inappropriate in the Green Belt.”

The Officers report downplays breaches in policy throughout, stating “it is potentially a matter of preference and perspective “, yet at para 7.68 it states “The Principal Landscape Architect for the County Council does consider that significant adverse landscape effects are likely ”and that these effects are likely to be contrary to landscape policy.”

The perspective with regards to expert opinion is that the development is contrary to planning policy and should be refused. He states “there is an inherent conflict with Policy M11 part 2 of the emerging Minerals and Waste Plan” and “that the development is contrary to that plan”.

He states “ it is not considered to be in accordance with policy SP13, ‘saved’ Policy 4/1 criterion (d) and (i), neither is it COMPLIANT in terms of the cumulative effects arising from the changes to the landscape - Policy D06.”

The Landscape Architect clearly believes the development does not comply with relevant policies, therefore very special circumstances do not exist that outweigh the development being in green belt.

I last addressed this committee regarding pollution of the principal aquifer from the UK coal tip site in Womersley less than a mile away.

Today’s application carries as much risk of further pollution of the secondary and principal aquifers beneath Gale common.

Groundwater protection policies - given great weight in the report state “ that mining operations and the associated depositing of mineral waste will be permitted only where there would not be an unacceptable impact on surface and groundwater , and that cumulative impacts of a development on a locality should be taken into account.”

Can you confirm there would not be an unacceptable impact? The Environment Agency cannot, the expert opinion is that there is evident risk.

Reference to cumulative impacts on ground water are absent in this report and indeed the applicant states that “there is no potential for significant cumulative effects in respect of geology and hydrology”. We strongly dispute this.

Without seamless regulation and enforcement from the Environment Agency and Planning there is an unacceptable risk. Conditions are totally inadequate; they did not prevent pollution of the aquifer from the tip site.

In 2014 the EA noted a C2 breach at Gale Common . “A non-compliance which could have a significant environmental effect on water quality and significant damage to physical habitat”.

Given the applicants non-compliance, Measures to manage the evident risks to surface and groundwater must be in place prior to permission being granted, to prevent catastrophic pollution of the aquifers.

The benefits of re harvesting PFA do not outweigh the risks to the surrounding communities.

We strongly dispute the recommendation that very special circumstances exist that

outweigh the development being inappropriate in Green belt.”

Councillor Paul White, Womersley Parish Council, addressed the meeting from a remote location, stating the following:-

“I am Paul White - a Womersley Parish Councillor and a concerned resident

First can I address the Market for Pulverised Fuel Ash

We are concerned that the applicant is basing their application on there being a long term market for PFA. We would question that. The Concrete block Association website says “Local sourcing is the cornerstone of concrete block sustainability.”

All very Laudable but there are only two local block manufacturers around us, and one has gone over to expanded clay, so where will the PFA go and where is the market?

Plasmor in Knottingley say “Plasmor view the use of expanded clay as the key to the sustainable and eco-logical future of concrete block manufacture”. Therefore is it going for export? If so huge environmental impact ! There is PVA stockpiled all over the UK, and around the world, so why extract more from a partially restored site in Greenbelt at Gale Common?

The Government Future Homes Standard will require new build homes to be future-proofed with low car-bon heating and world-leading levels of energy efficiency; it will be introduced by 2025. This will see a move away from concrete block construction to more sustainable methods of construction with much higher U values.

Secondly - Noise and dust & working hours

The on-site excavation work is going to be 7.00am, to 7.00pm, 7 days a week, every day of the year except bank holidays, and this is for 25 years. Would you like this 1 kilometre from your community? Would you like it next to your own house? Virtually every day, of every week, of every year for 25 years?

On your site visit EP didn't take you up onto the top of the site. Why not? I went on a site visit last year and from the top we were looking down right onto Womersley. I also question whether the planning officer has been on top of the site? Womersley is only 1 kilometre from Gale Common and on the wind the village will suffer constant noise from heavy plant and dust particles in the air.

Whilst there are promises from EP to adhere to planning conditions, who is to say that they will not be taken over, or sold to a less scrupulous operator, who could completely ignore these.

Do you have sufficient staff to ensure compliance on a site 60 miles from Northallerton? Can you afford to take legal action if required?

I am 65 years old and I will have died long before this project comes to an end as will many of you. This scheme is not just for Christmas, it is for a generation. If you approve this scheme you are putting 47 jobs and corporate profit ahead of the lives of some 1250 residents who live within 1000 metres of this scheme.

You have had hundreds of objections, a petition with 1160 signatures, as well as condemnation of the scheme from our MP. We appreciate jobs are scarce at the moment, but a vaccine for Covid has been announced and the economy will quickly bounce back. Please consider the length of this scheme, remember it is 25 years, and refuse the application.”

Stuart Vendy representing Mr. Watkinson on behalf of Great Heck PC, addressed the meeting from a remote location, stating the following:-

We rely upon the content of objection letters submitted previously. There remain issues within these letters that have not been addressed or remedied by the Officers Report. These issues still form the basis of our case against the proposal and the determination process.

Only granted three minutes, so two specific points need to be brought the Committee's attention.

Firstly, the Committee members familiarity with the issues surrounding HGV movement over the Rail Bridge at Great Heck.

1. Para 2.12 – No reference or Visit to the Great Heck Bridge. Have members been to the bridge and do they understand the issue?
2. Para 3.7 – How can the destinations for HGV be known or relied upon in the TA if the contracts are not yet known?
3. Para 3.13 – Highways Assessment of alternative routes. There is no mention or apparent assessment of alternatives that would avoid the harms at the rail bridge of Great Heck.

The officer reaches no conclusion about whether the issues I have raised in my representations with regard the bridge represent an 'other harm' or not. I would be grateful if she could provide the Committee with this advice.

Secondly, there are failures and issues within the officer's report in relation to Green Belt matters leading to incorrect advice being provided to members. Several examples are set out below:

1. (Para 4.3) SDC take the correct approach in defining the entire proposal as inappropriate in the Green Belt. The NYCC appears to have split the proposal into individual components and applied policy piecemeal.
2. (Para 4.21) – The County Councils Heritage/Landscape Officer recognises that there are 'significant adverse landscape and visual effects and impact on GB openness'. This is critical when balancing the case for 'Very Special Circumstances' yet receives no detailed consideration.
3. (Para 7.20) - The site does not meet the definition of 'Previously Developed Land' with the Glossary to NPPF. The land is a waste site that is subject to restoration conditions.
4. (Para 8.3 (3)) The fact that the proposal is defined in Section 55 (4)(A)(ii) of the 1990 Act as a 'mining operation' has no bearing on whether it is inappropriate or not within the Green Belt. It appears that the reader is being invited to infer that a 'mining operation' is either 'appropriate in the Green Belt' or is not 'development'. Both would be wrong.
5. (Para 8.3(3)) The officer appears to have split the proposal into various components and considered whether each is 'appropriate' or 'inappropriate' development in the Green Belt. There is no provision in policy for such an approach. The application is a whole and needs to be considered as such.
6. (Para 8.6) The officer fails to provide members with advice about the amount of weight to be attached to the identified harms to the Green Belt and Other Harms. Instead presenting the issue as a simple 'balancing exercise'. NPPF requires 'substantial weight' to be attached to all harms. The officer also fails to advise that Very Special Circumstances need to be demonstrated that 'clearly' outweigh the harms.

In summary, the report fails to advise Committee members properly with regard the application of Green Belt policy to this proposal. It provides a confused and erroneous advice which provides an inadequate basis upon which to make a formal determination of the proposal.

I would also like to remind the Committee of the questions posed at the outset of this statement.

Sarah Langridge, Headteacher of Whitley and Eggborough Primary School addressed the meeting from a remote location, stating the following:-

What considerations have been made to safeguard the well-being and safety of the children of Whitley walking to and from school – will there be a suspension of traffic between set times in the morning and afternoon to allow them to walk safely which is not only a physical health benefit but also a mental health benefit?

What consideration has been made for the potential increase in levels of pollution that will be emitted from travelling vehicles?

What considerations have been made to ensure that there is not increased disruption to our parents who are required to travel to and from school by car and need to access Learning Lane when dropping off and the A19 when leaving? Currently traffic is heavy at this time and can cause back logs down the lane and the A19.

What considerations have been made to ensure that one of the largest employers is not adversely affected by the loss of children on roll attending the school due to the proposed actions – parents are already considering this course of action. A big loss of numbers would affect the viability of the school continuing to operate long term.

The following statement from Joanne Poynton (local resident) was read out by the Clerk:-

“1. Why do you think it is acceptable that over 200 lorries a day should travel through our village and past our village school and village nursery. Have you fully considered the effect of this increased pollution on our children and elderly members of our village.
2. If the company want to move the ash why can't an alternative route not be found to move the ash? The ash came via a pipe why can it not go back the same way?
3 why can't a slip road to the motorway be built? Is this purely financial reasons?
4. Why do the council encourage the school to be eco-friendly and encourage the children to turn off lights to save the environment then in the next breath look to approve such an environmentally damaging project.
5. Why on earth do you think this is in anyway a sensible proposal - if this goes ahead you will ruin our village and damage our health.”

For the application

Nigel Cooke, Director of UK Quality Ash Association addressed the meeting from a remote location, stating the following:-

“My name is Dr Nigel Cooke and I am the Director for the United Kingdom Quality Ash Association (UKQAA). The UKQAA is a trade association which supports companies involved in the supply and use of Pulverised Fuel Ash (PFA). PFA is the ash produced from the burning of pulverised coal in power stations such as Eggborough and Ferrybridge. PFA has a number of unique properties which make it very strategic for the cement industry, autoclaved aerated concrete blocks and grouts for tunnelling and stabilisation

Prior to joining the UKQAA in 2015, I spent 33 years working for Blue Circle and then Lafarge sourcing sustainable materials for the cement and construction industries. PFA featured significantly in many of the 50+ countries that Lafarge operated in. In my experience, very few people are aware of the technical and sustainable benefits offered by PFA despite the fact that it is the most widely used “secondary aggregate” in the

world.

PFA has been used in the UK construction sector for over 50 years. Initially it was seen as a cheap filler in cement and a sand replacement. These days, there is a much greater appreciation for its chemical and physical properties. Marine structures, infrastructure with mass pours, wind farm bases and structures specified with >60 year life will all reference PFA in the technical specifications. The grouting industry has found that virgin sand makes a very poor substitute for PFA. This is why the Gale Common project is so critical as it will fill the void that has been created by the closure of coal fired power stations.

It is wonderful news that EPUKI has the vision and confidence of its shareholders to invest in UK manufacturing. This should be welcomed given the decline in investment in UK manufacturing over the past 30 years. The investment will secure a very strategic secondary aggregate/mineral resource for UK PLC for many years to come. An investment which will secure long term quality engineering and production and sales jobs. It will also catapult the UK to becoming the world leader in the processing of PFA from single use deposits. A world leader that can make use of commercially proven technologies of which a significant element would be UK sourced.

The project will also create opportunities for universities. Through the UKQAA, EPUKI is involved in sponsoring a PhD Dundee University in the use of PFA from single use deposits. Further support has been provided to the UKRI National Infrastructure Circular Economy Research (NICER) and the Centre for Mineral-based Construction Materials (CMCM). The Gale Common project dovetails seamlessly with the NICER-CMCM vision for bringing industrial by-products into productive use in construction.

I recognise that PFA in single use deposits does not readily fall within the remit of most planning authorities. It requires a strong technical understanding and an appreciation of how PFA falls within a national rather than mere local sourcing strategy. As a consequence, I am involved in advanced discussions with MHC&LG, BEIS and DEFRA to ensure that PFA in single use deposits are safeguarded for future generations. In this context, I am confident that the next revisions of the NPPF and the Planning Practice Guidance Document will both refer to the safeguarding PFA as a secondary aggregate.

I could quote lots of statistics which relate to the importance that PFA plays within the circular economy and to certain industrial sectors. However, I am sure that these facts will have already been supplied together with the economic benefits to UK PLC through the long term replacement of imports of cement, blast furnace slag and fly ash. There might be less awareness of the importance of PFA to LLWR for low level nuclear waste encapsulation. Indeed, LLWR has asked for samples of processed EPUKI PFA and they are actively engaged in looking at strategic sourcing for the next 50 years.

I would rather conclude by recognising that the Gale Common project requires understanding and support from people with influence and who have vision, who can see the bigger picture and can make things happen. People who can see the importance of investment in manufacturing; quality job creation; investment in research; supplies of a strategic construction material. Those who recognise that being a global leader will draw interest from people from all over the world to come and see what is happening at Gale Common.

Finally, during my time with Lafarge, I was involved in PFA project (ScotAsh) which won numerous environmental awards including 2 Queens Awards. I was fortunate to be invited to Buckingham Palace to receive, from the Queen, the Queens Award for

Innovation. Two years later, my MD was invited to receive the Queens award for the Environment.

I am absolutely convinced that the EPUKI project ticks all the boxes for the sourcing of a product which will play a critical role in a sustainable and low carbon economy. I am also convinced that this will result in many environmental and sustainability awards including a very strong potential for a Queens Award for both innovation and the environment.”

Applicant and applicant’s representatives.

Adam Booth representing the applicant addressed the meeting from a remote location, stating the following:-

“My name is Adam Booth. I have been working for Eggborough Power Ltd since 2007 and since 2016 have been the Managing Director responsible for all operations at the Gale Common site. First of all, I’d like to thank the committee for giving me the opportunity to speak here today.

Before addressing the scheme’s substantial benefits and how we will control and mitigate its impacts, I’d like to start off by providing some background information.

Eggborough Power Station has been a feature of the landscape since the 1960s and generated power safely and reliably for over 50 years until its closure in 2018. When Eggborough was built, alongside its sister station at Ferrybridge, the pulverised fuel ash (PFA) produced by the burning of coal was seen as a waste product and was disposed of at Gale Common.

Over the years more than 50m tonnes of PFA were deposited at the site, resulting in the formation of a manmade hill that can be seen from miles around. However, what can’t so easily be seen is a much larger area of unrestored landfill, from which we have been extracting PFA for many years now for use by a local company in the manufacture of building products. Not only does this mean that what was once a waste is now beneficially used, it also reduces the need for the quarrying of virgin materials.

However, in recent years things have changed significantly. Firstly, a climate change emergency has been declared by many local authorities and, just like Eggborough, coal fired power stations throughout the UK are being required to close. This means that virtually no new PFA is being produced in the UK today. Moreover, the same process is taking place throughout Western Europe and many other countries.

Secondly, Brexit may bring about opportunities, but it also generates significant uncertainty for UK businesses and creates an increasing need for self-sufficiency. At the same time there is a growing housing crisis with many young people being unable to afford a home. More than 300,000 homes per year need to be built between now and 2031 just to deal with the backlog – meaning any restrictions on the availability of building materials needs to be dealt with.

Finally, the Covid-19 pandemic is having a profound and continuing effect on all of us, whether directly or through the impact on jobs and the economy.

This proposal, to increase the output from Gale Common, can play a vital part in helping with all of these challenges, whilst also turning what was once a waste into a valuable resource. The benefits of the development are clear and are very substantial.

For example: over its lifetime it could reduce UK carbon emissions by up to 20m tonnes by reducing the requirement to use limestone in the manufacture of cement. To put this into perspective this is equivalent to planting 54,000 hectares of trees, twice the size of the City of York, or stopping 68 million car journeys from London to Edinburgh. That is a significant carbon saving in anyone’s books and supports the Government’s legally binding target to achieve ‘Net Zero’ in terms of greenhouse gas emissions by 2050.

The UK Government estimates that 22m tonnes of PFA will be needed to meet UK demand to 2030. This development will help the UK become self-sufficient and prevent

the need to import significant amounts from China and elsewhere in Asia. Gale Common contains around 50% of the total accessible PFA reserve in the UK, demonstrating the site's national importance as a source of this valuable material.

The development will also have a positive impact on both the local and national economies. Once fully operational, Gale Common will inject about £4m a year into the local economy, resulting in the creation of nearly 50 full time jobs and safeguard a number of local industries. On a national scale the PFA extracted from the site will play a vital role in supporting the building industry, helping it to build the desperately needed new homes for our young people to buy.

Whilst the benefits are obvious, we are very aware of the impacts that the Gale Common development could have on the local community if it is not properly managed.

Consequently we have spent considerable time and effort to identify these issues and put in place plans to address them: We have undertaken significantly more consultation with the local community and local authorities than was required; we have ensured that we have listened to all of the concerns of the community; and we have done all we possibly can to address these concerns.

We fully understand that the community is concerned about traffic through Whitley and we have put in place a significant package of measures to help reduce the impact of vehicle movements on the village. Amongst other things, we've committed to constructing a new section of road where Whitefield Lane joins the A19, moving vehicles away from the houses most affected. This will cost over £1.5m and shows our commitment to reducing impacts on the community. We have recently agreed a planning condition with Officers that requires these road improvements to be constructed before we can remove more than 200,000 tonnes per year of PFA from the site. We're also funding a number of speed reduction measures in Whitley, a new signalised crossing close to the school and have committed that no vehicles will leave the Gale Common site at school drop off and pick-up times.

I want to touch briefly on sustainable transport. The use of HGVs is viewed by us as the least preferred option, and we have committed to assessing alternative transport methods (such as rail and barge) on a regular basis. However, at this stage in the development HGVs are, quite simply, the only viable means of transporting PFA from the site. We, genuinely, do not yet know where our customers will be located nor how they will be able to receive the PFA from us. Thus, until we have agreed long term supply contracts, which can only be done if planning permission is granted, we cannot meaningfully consider alternative transport methods. However, I reiterate that we are committed to reviewing alternative transport methods on a regular basis and indeed this is one of the planning conditions we have agreed with the county council.

The operations proposed on site are very similar to those that have been carried out for the last 40 years. When Eggborough and Ferrybridge power stations were fully operational, we moved over 1m tonnes of ash per year on site without any dust, noise, lighting or other complaints or concerns from the local community. And even today we still extract 30,000 tonnes per year of PFA for sale. What we are asking for is an intensification of these existing operations, but there is no substantive change in the nature of the activities being undertaken.

Over the last 50 years we have proven ourselves to be a good neighbour both at the power station and Gale Common. To our knowledge there have never been any complaints about the site, and we are fully committed to continuing that record. To that end our proposals include a significant ramping up of the already stringent control measures in place to make sure that problems with dust, noise and emissions don't occur. And we will continually work with the community, both directly and through the liaison committee that will be set-up.

As part of the development we are opening the restored area to the public for the first time, which will create a 172 acre nature reserve and amenity space. This will include

paths and woodland walks to the top of the man-made hill which, I can tell you, offers spectacular views across the local countryside. I want to make clear that we are only proposing to extract PFA from the unrestored areas of the site. We will not be touching the restored areas and have committed to creating a community group to work with us to help open and manage this as a public resource.

It should also be noted that when extraction is completed the site would be fully restored to form the Gale Common Country Park, covering an area of approximately 600 acres and providing full public access across the site. It would be linked to local villages by footpaths and provide a permanent asset for the local community to enjoy.

All the EPUKI team that have been working on this development are from the local area and are former employees of the power station. They have worked with and alongside the local community for many years and will continue to do so. They will be staying with the development as it becomes operational, subject to planning permission being given, and will continue to engage with the community to ensure that we remain the good neighbour that we have always been.

I wish to end by saying that the Gale Common Development represents a significant opportunity to help fight climate change whilst also bringing about significant economic benefits both locally and nationally. In my experience it is rare for a development to be both environmentally and economically sustainable, and I look forward to delivering these benefits.”

Geoff Bullock, planning consultant on behalf of the applicant addressed the meeting from a remote location, stating the following:-

“My name is Geoff Bullock – I am Chartered Town Planner and Partner at DWD planning consultants. I have been involved in the management, preparation and submission of the Gale Common Ash Extraction application on behalf the Applicant (EPUKI) and, along with colleagues, have liaised with the Planning Officers at NYCC on a day-to-day basis over the past 18 months. I am going to briefly cover planning policy, consultation and other planning focussed matters.

In terms of planning policy:

There is strong in principle support for the use of secondary aggregates, such as PFA, at both national and local level:

- A central aim of the National Planning Policy Framework (‘NPPF’) requires that sites for secondary aggregate related uses, such as PFA extraction, are safeguarded and that decision makers, such as NYCC, take account of the positive contribution that such materials make in terms of sustainability and carbon reduction.
- Policy M11 of NYCC’s emerging Minerals and Waste Joint Plan (‘MWJP’) states that proposals which facilitate secondary aggregates provision as an alternative to primary aggregates will be permitted, including the supply of material from a waste disposal site, such as Gale Common.
- The North Yorkshire Waste Local Plan acknowledges that changing economic circumstances may necessitate the re-use of deposited waste. Such circumstances include the Government’s decision to close coal-fired power plants by 2025 and the need to find new sources of PFA (locally both Eggborough and Ferrybridge have closed).

We acknowledge – however – that the benefits of PFA extraction must be balanced against potential environmental impacts. The planning application therefore includes a detailed Environmental Impact Assessment, which has concluded that there will be no unacceptable impacts. Richard Lowe from AECOM will cover this in more detail shortly.

The development has also received support for the local community and businesses, although we fully acknowledge that the local community has also raised a number of concerns – which have resulted in the Applicant making a number of significant changes

and additions to the proposal.

The development includes an extensive set of planning conditions and a draft Section 106 agreement that secures a number of planning obligations, including a 30-year aftercare period and numerous financial contributions.

The Applicant has agreed to a new Condition 5 that would prevent more than 200ktpa of PFA being removed from the site by road until the Whitefield Lane Realignment Works, including works to the junction of Whitefield Lane with the A19, have been constructed in accordance with a scheme and programme approved by NYCC.

Following comments from the Commercial Boat Operators Association in late October on Condition 19 (now 23) relating to the a Sustainable Mineral Transport Plan, the Applicant has agreed to deliver the Plan significantly sooner, within 6 rather than 12 months following commencement of the development. The 6-month period allows for:

- operational personal to be hired (who should input into the plan);
- practical experience to be gained; and
- importantly, time to get a clearer idea where the PFA might be going and if alternatives to road are potentially feasible – allowing for a more meaningful Plan to be produced.

During the extensive consultation on the application and throughout its determination period, it is notable that no objections have been received from statutory and technical consultees, including the NYCC Highways Department, the Environmental Health Officer or the Environment Agency.

Planning Officers have recommended approval for the development following a significant amount of consultation and discussion over many months – concluding that:

- the benefits of PFA as a secondary aggregate outweigh any negative aspects associated with the development;
- very special circumstances exist that outweigh the development being located within the Green Belt; and
- appropriate management and control can be secured through planning conditions and the Section 106 agreement to ensure that any impacts on local residents and the environment are controlled and effectively mitigated.

Officers have clearly concluded that the planning balance weigh significantly in favour of the development. That is a conclusion that I agree with.

The acceptability of the development in planning terms has been demonstrated by the comprehensive submission made by the Applicant, the extensive consultation and discussions carried out, the absence of objections from statutory and technical consultees, including NYCC's Highways Department, and, ultimately the assessment made and conclusions reached by your Planning Officers.

I would therefore urge the Committee to grant planning permission in line with the recommendation of their Planning Officers.”

Richard Lowe, environmental consultant on behalf of the applicant, addressed the meeting from a remote location, stating the following:-

“My name is Dr Richard Lowe and I am a Director of the AECOM Environmental Consultancy. My team and I prepared the Environmental Impact Assessment that supported the planning application on behalf of EPUKI, the Applicant.

We have carefully considered all the environmental effects of the proposed development and how these are to be controlled so as to not affect the site neighbours and the ecology in the area. I will briefly address some of these issues in turn – overall however, through the measures that the Applicant proposes to use, no significant environmental effects have been identified.

Adam has mentioned the efforts that the Applicant will make to use sustainable transport methods for exporting ash from the site, but at this stage we have had to assess what

would happen if only HGVs were used to export the ash. Traffic will use the most direct route to the motorway network and the Council Highways department agree that this route can accommodate the traffic without affecting the road network. The Applicant has nevertheless proposed a number of measures to reduce impacts on the local residents including realigning the road and funding a number of safety measures including a pedestrian crossing, speed camera and traffic calming measures. Lorries will also be stopped from leaving the site during school drop off and pick up times. Furthermore, the Applicant has agreed to a new Condition 5 that would prevent more than 200ktpa of PFA being removed from the site by road until the realignment works have been constructed.

EPUKI have included a number of measures to make sure no mud or debris gets onto the road from any vehicles, including wheelwashes, a jet wash and visual inspections of vehicles leaving the site. These go over and above what currently happens at the site and which have been sufficient to ensure the site does not lead to deposits on local roads.

Similarly there are a number of dust control measures that would be used during site operations, building on those that have been employed on the site for many years to prevent any nuisance dust issues. Dust monitoring has been undertaken around the site for several years and additional monitors will be installed. Air quality effects from the proposed development including lorries have been assessed and no significant effects have been identified, including at the school, where no exceedances of any air quality standard are predicted.

Noise from operational activities will also be controlled to prevent nuisance and ensure that noise limits agreed with the Council are met. The use of bunds at the site edge will also significantly reduce any landscape or visual impact from the plant operating on the site. The Applicant will also set up a regular community liaison group so that any complaints if they did arise would be addressed quickly.

Finally, as local people know, there is a lot of wildlife on the restored stage 1 area of the site and the other areas which have never been part of the operational site – these have been surveyed and assessed to make sure that they won't be affected by the proposed development. The areas being worked do not support any protected wildlife. After the ash has been removed from each part of the site, the Applicant will implement a restoration plan designed to increase the biodiversity of the site for the future, and has then committed to maintaining the whole site for 30 years after restoration is complete. So, in summary, a comprehensive list of environmental topics have been considered and assessed by a team of specialists, and a range of control and mitigation measures have been proposed by the Applicant to prevent significant effects or nuisance for the local community. These measures have been agreed with the planning authority and will be secured by planning conditions if the planning permission is granted.

The Head of Planning Services presented the substantive Committee report, together with the addendum report. Initially she drew Members' attention to the list of conditions within the addendum report, which had been altered slightly from the original report. She provided details of changes to the proposed conditions 5 and 22 detailed in the addendum report, as follows:-

Condition 5. No more than 200,000 tonnes of pulverised fuel ash shall be removed from the site, by road, in any one year until the highway improvement works to the junction of Whitefield Lane and the A19, shown on indicative drawing 60589011-P-016B, have been constructed in accordance with a scheme and programme to be first submitted to the County Planning Authority for approval in writing. The approved scheme and programme shall thereafter be implemented in full

Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission.

Condition 22. HGVs exiting the site shall be released at intervals of not less than 1 per minute. Within 6 months of the commencement of development a CCTV system shall be installed and in operation to monitor HGVs exiting the site. Recordings shall be held for six months and made available for inspection at the request of the County Planning Authority during normal working hours. During the first six months of operation or in the event that the CCTV cameras are not operating (such as during any maintenance period or as a result of unforeseen circumstances), the site operator shall manually log the number of HGVs released from the site and/or retain weighbridge tickets (including tonnage information) to ensure and be able to demonstrate that HGVs are released at intervals of no less than 1 per minute and to record the annual tonnage of materials being exported from the site. The manual recorded records shall be held for a period of twelve months and made available for inspection at the request of the County Planning Authority during normal working hours.

Reason: To reduce the likelihood of vehicles queuing at the Whitefield Lane/A19 junction and to enable the monitoring of the annual tonnage limitations in the interests of highway safety and amenity.

The Head of Planning Services highlighted the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations detailed in the addendum and substantive reports. The reports also provided a conclusion and recommendations. She provided details to address the issues that had been raised during the public questions/statements session. She reminded Members that they had visited the site in February 2020 to consider the local surrounding area in relation to the application.

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

Members undertook a detailed discussion of the application and the following issues and points were highlighted during that discussion:-

- Members welcomed the comprehensive report and presentation.
- A Member referred to the emerging Minerals and Waste Joint Plan and the need to divert away from the use of primary materials in favour of secondary materials, and considered that the ash to be taken from this process could be seen as recycled material, and would correlate with the Joint Plan. In response it was emphasised that the Joint Plan had yet to be agreed, and the policies could be subject to change, however, it was true to say that use of this material would assist in replacing the use of primary materials in areas such as the construction industry, and, in that respect, could be considered to be using recycled material.
- It was noted that no details were available as to where the staff from the school parked their vehicles, although the local Member clarified that this did not encroach onto the A19 main road.
- A Member noted that the report highlighted “very special circumstances” in terms of removal of the material as a secondary aggregate, but wondered whether the policies would still support the application if, as had been suggested, the material was to be for export only. In response it was emphasised that the application related only to the removal of the material, its future use was a material planning consideration.
- A Member noted that there were a number of other potential projects under consideration in the area, including this one, which would require extensive use of the local access to the M62 via the roundabout from the A19. He suggested that this was inadequate for the size and amount of traffic involved, and the issue should

be considered as part of this proposal. He also suggested that the pollution from the vehicles and how that would affect local residents and the local school should be taken account of. In response it was stated that there had been extensive consultations with the Highway Authority who had concluded that the local road network would not be unduly, detrimentally affected by the proposals. A proposed Section 106 agreement with the applicant would see improvements made to local roads and the cumulative impacts of traffic from proposed applications had been taken account of. It was noted that a number of the future applications would not be using this specific route. In terms of the impact of pollution on it was stated that the M62 ran adjacent to the school and residential properties indicated and there was unlikely to be a significant increase in traffic pollution already in the area from the proposals.

- A Member queried the alteration of a Condition submitted by the Environment Agency in relation to their concerns raised in respect of potential water pollution. He noted that details of the wording that had been provided for the Condition by the Environment agency were set out in the report, however, these were not replicated in the final list of Conditions. He raised concerns on this matter in relation to a water contamination matter that had occurred on a nearby site, which had been before the Planning Committee previously and had resulted in a pollution by run off from the procedure taking place. He considered that the Environment Agency's proposal would have guarded against this. In response it was emphasised that the Condition within the report was seen as appropriate to mitigate against any environmental impacts of the work on the site. It was emphasised that consultees were able to provide suggestions in terms of conditions, but ultimately, the Planning Authority would determine the nature of those conditions, to ensure that they were practical, enforceable and passed the six appropriate tests. In essence, however, the Condition remained the same as that suggested by the Environment Agency.
- An issue relating to the redevelopment of Whitfield Lane as part of the agreement for moving the material from the site had been highlighted in the addendum report, however, a member was aware that Selby District Council rejected the development of land in that area due to mining subsidence, and he wondered how the material would be transported from the site should the required redevelopment of the road be unable to take place for the same reason. In response it was stated that site investigation works would be required before any redevelopment works took place on the road, however, should issues such as subsidence arise, it was expected that there would be engineering solutions available to overcome these.
- A Member highlighted that of the thirteen letters of support provided by organisations that would use the material, none were from North Yorkshire. He stated that the material would need to be transported around the country, and to Europe, for use, adding to the environmental concerns created by transporting the material by HGVs, as much longer journeys would be required. In response to this matter the Committee's Legal Adviser stated that whilst traffic and impact were planning matters that could be considered the eventual destination of the product was not a material planning concern and should not be taken into consideration.
- It was noted that the applicant had stated that they would give consideration to the use of alternative transport to move the material, however, there appeared no incentive within the report for this to take place and with the material to be moved long distances, it was much more likely that it would continue to be moved by HGVs. In response it was emphasised that Conditions required the applicant to give consideration to the use of alternative methods of transport when a certain level of material had been transported from the site, to ensure that this was viable. The Member emphasised that alternative methods of transport were available now, using nearby rail links, canal systems and a tunnel system to the east coast ports, and suggested that these should be utilised ahead of large numbers of HGVs

coming into the area. He considered that it was unlikely that the applicant would move toward using these transport methods, as it would be more economical to use road transport, despite being more detrimental to the local area and the environment, without being required to through more meaningful conditioning. In response it was emphasised that the Conditioning ensured that the applicant would be required to fully investigate the alternative methods of transport when a certain level of production had been reached, and these would have to be considered by the County Planning Authority.

- It was noted that the draft Minerals and Waste Joint Plan and the Local Plan highlighted the need to ensure planning applications did not detrimentally affect the local residents. The Member provided a photograph that showed how near to local residential properties HGVs would be queueing and waiting and asked whether the proposal contravened these policies. In response it was stated that the junction highlighted was already used by traffic and there would be no significant additional impact from the proposal. It was reiterated that in-depth consultation had taken place with the Highway Authority, and it had been concluded that the proposals were manageable on the local road network.
- It was asked why the installation of CCTV to monitor vehicles leaving the site could not be installed from the start, rather than waiting six months. In response it was stated the proposals included the building of a number of out-buildings on the site, to which the CCTV would be installed, therefore, this allowed for those buildings to be erected.
- A Member stated that the proposals had a potential impact on the Green Belt as the area by the residential bungalows was classified as such, and there would be a detrimental impact on the Green Belt from the increase in traffic. In response it was noted that the M62 and A19 also passed through the area, therefore, it was not considered that there would be any additional impact on the Green Belt from the proposals. The Member noted that Selby District Council considered that there would be an impact on the Green Belt through their submitted representations and would address the issue differently. In response it was stated that consultees were entitled to their opinion, however, the report addressed the issues raised. The Chairman emphasised that members would make a decision on the application based on the information that had been provided through the report and during the meeting.
- A Member noted that the start time for work on the site was 7am. He envisaged problems being created for local residents being created from HGVs arriving earlier, and parking in the residential areas to ensure that they were there for the start time. In response it was emphasised that the operator of the site would have an Environmental Impact Plan to comply with and would utilise that to prevent this practice from taking place.
- Concern was raised that the extensive use of HGVs in moving the material would increase CO2 emissions, rather than the reduction suggested by the use of the PFA. It was stated in response that although initially there would be CO2 emissions from the HGVs, this was very likely to reduce in time due to the exploration of alternative transport methods, and the likely development of technological solutions that would greatly reduce emissions from HGVs, and would likely see the introduction of Carbon neutral vehicles. The Member considered that agreeing to the vehicle movements went against the County Council's proposal of reducing carbon emissions to zero by 2030, as the vehicle movements would be in place into the late 2040s. In response it was noted that the target outlined related to County Council developments and services and could not be imposed on external organisations applying for planning permission. The Member acknowledged that but considered that the proposals did not encourage the sought after reductions in carbon emissions.

- A Member provided details of how the PFA material could be utilised and noted that it could only be used in situations where the material would be compressed.
- A Member asked whether any monitoring had been carried out in relation to the effect on the school of pollution from the M62. In response it was stated that the officers were unaware whether this had been undertaken, therefore, the information requested was not available. The member suggested it would have been useful to have comparison data to determine whether pollution levels increased when the HGVs were using the junction and roundabout when moving the material, should the application be approved.
- A Member noted that the Authority's Principal Landscape Architect had raised concerns regarding the application and had asked for mitigation measures to be introduced on Whitefield Lane in view of the increase of HGVs proposed along that route, and he wondered whether that issue had been addressed. In response it was noted that the mitigation referred to had been addressed in the report and that the Landscape Architect had not objected to the report.
- In summing up his thoughts on the application, a Member suggested that although there were clearly issues of concern for the local communities in the area, the application would allow material to be recycled for use in the construction industry and would reduce the need to extract primary resources. He considered that the "very special circumstances" outlined justified the removal of the PFA and that the conditions set out in the report provided sufficient mitigation to address the concerns expressed by the local communities.
- A Member praised the public speakers for their contributions to the debate. He agreed that the method of transporting the material from the site was of concern, but considered that the benefits from the use of the material outweighed those issues, particularly as there were stringent conditions in place to mitigate the effect of the removal process.
- A Member expressed her disappointment regarding the use of HGVs to move the material, particularly in relation to the impact that would have on the local communities, but considered, on balance, that she supported the application because of the use of a secondary material to support the construction industry.
- A number of Members outlined their concerns in relation to the proposed vehicle movements and the impact that would have on the local communities. They suggested that further consideration was required in relation to the use of alternative methods of transport, and whilst they were not opposed to the removal of the PFA, they would like to see the transport issues addressed before they could support the application.
- A Member suggested that a more robust assessment of the use of the material, and the demand for that, locally, should have been carried out. He considered a major negative factor in respect of the application related to the transport plan, and had major concerns regarding the adequacy of the roundabout at the junction to the M62 to accommodate all the proposed vehicles, particularly the cumulative effect from other forthcoming applications. He noted that the applicant owned land to the north of the site, with the site entrance just 40 metres from the M62 and suggested that a direct route from the site to the M62 would eliminate the need for vehicles to travel through the local communities. He considered that the current application contradicted the Council Plan for 2020-24 in terms of the impact on the environment and protecting children. He considered that the removal of the PFA was acceptable but not the transport plan.
- A Member reiterated the fact that others had outlined in terms of not being opposed to the removal of the PFA but having major concerns regarding the transport plan. He believed that the use of HGVs would have a significant detrimental effect on the surrounding local communities, and that the available, alternative transport

methods had not been investigated adequately. He noted that there were very few local organisations that use the extracted material and raised concerns regarding the potential impact on the local water table. He noted that National Planning Policy promoted sustainable transport methods which were not being addressed in this application. He suggested that the application could not be supported unless a sustainable transport plan was put in place.

- A Member noted that should the application not go ahead then primary material would need to be extracted and transported from numerous sites across the region, which would also create transport issues for other communities.

A proposal to defer consideration of the application to a subsequent meeting of the Committee to allow further investigation of alternative transport methods and routes, enabling the impact on the nearby local communities to be reduced, was moved and seconded. A vote on the proposed deferral was undertaken which resulted in a tied position and was defeated on the Chairman's casting vote.

A proposal to approve the application, the details of which were set out in the recommendation of the addendum report, together with the amendments to Conditions 5 and 22, outlined earlier in the meeting, was moved and seconded. A vote on the proposal was undertaken which resulted in a tied position and was approved on the Chairman's casting vote.

Resolved -

That Planning Permission be granted for the reasons stated in the addendum report, subject to a Section 106 agreement as detailed in the addendum report and subject to the conditions outlined in the addendum report, together with the amended Conditions 5 and 22, as detailed at the meeting.

160. C/20/00344/CPO – Single storey extension of Sports Centre to form a Fitness Suite (382 sq. metres), Tarmac perimeter path and additional 22 car parking spaces (599 sq. metres) on land at Malton Community Sports Centre, Broughton Road, Malton, YO17 7BP

Considered –

The report, and addendum report of the Corporate Director, Business and Environmental Services requesting Members to determine a planning application for the single storey extension of Sports Centre to form a Fitness Suite (382 sq. metres), tarmac perimeter path and additional 22 car parking spaces (599 sq. metres) on land at Malton Community Sports Centre, Broughton Road, Malton.

The application was subject to two objections from local residents having been raised in respect of this proposal which were summarised in paragraph 5.3 of the original report and was, therefore, reported to this Committee for determination. It was noted that the original report had been deferred at the meeting of the Committee held on 16th July 2020 for further consideration at a subsequent meeting, allowing further details to be obtained in respect of any potential lighting scheme relating to the application. The addendum report provided the additional details requested.

A representative of the Head of Planning Services presented the report. He initially outlined the following amendments to both the addendum report and the substantive report:-

Addendum report

Section 5.1 For the following reason(s):

- (i) a likely significant effect from the proposed development upon the River Derwent Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) can be ruled out;
- (ii) the proposed development would not result in an adverse impact upon residential amenity, visual or otherwise, of existing or future occupants of the surrounding area as it is considered that the proposed development would have a limited impact upon amenity; and
- (iii) the proposed development generally accords with the principles of the National Planning Policy Framework (February 2019), National Planning Practice Guidance (March 2014), and does not conflict with Policies SP11; SP13; SP14; SP16; SP17; SP19 and SP20 of the Ryedale Plan - Local Plan Strategy (2013).

Appendix 1 – Substantive Report

Section 9.1 For the following reason(s):

- (i) a likely significant effect from the proposed development upon the River Derwent Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) can be ruled out;
- (ii) the proposed development would not result in an adverse impact upon residential amenity, visual or otherwise, of existing or future occupants of the surrounding area as it is considered that the proposed development would have a limited impact upon amenity; and
- (iii) the proposed development generally accords with the principles of the National Planning Policy Framework (February 2019), National Planning Practice Guidance (March 2014), and does not conflict with Policies SP11; SP13; SP14; SP16; SP17; SP19 and SP20 of the Ryedale Plan - Local Plan Strategy (2013).

The representative of the Head of Planning Services then highlighted the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations detailed in the addendum and substantive reports. The reports also provided a conclusion and recommendations.

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

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- A Member noted that the issues relating to the lighting scheme that had led to the previous deferral of the application had been clarified within the addendum report.
- A Member requested clarification in respect of the potential glare to nearby residential properties from the bulk head lighting situated on the external wall of the extension. It was clarified that the external planting, between residential properties and the extension, would reduce the potential for this.
- A Member suggested that the lighting may have to remain switched on for a short period of time after the closing time of 10pm for the facility, to ensure the safety of those using the Sports Centre.
- Members concluded that they were satisfied with the lighting plan outlined for the

scheme and that the issue of glare from external lights into neighbouring properties had been addressed.

Resolved -

That Planning Permission be granted for the reasons stated in the addendum report, subject to the alterations outlined at the meeting, as detailed above, and subject to the conditions outlined in the addendum report.

161. Variation of condition No. 1 of Planning Permission Ref. C2/10/00926/CCC for the permanent use of the land and buildings as a waste transfer station on land at Carr Lane, Sutton on the Forest, YO61 1EB

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the Variation of condition No. 1 of Planning Permission Ref. C2/10/00926/CCC for the permanent use of the land and buildings as a waste transfer station on land at Carr Lane, Sutton On The Forest, YO61 1EB.

The application was subject to an objection having been raised by one member of the public in respect of the proposal and was, therefore, reported to this Committee for determination. The grounds for the objection were detailed within paragraph 5.3 of the report.

A representative of the Head of Planning Services presented the report highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations detailed in the addendum and substantive reports. The reports also provided a conclusion and recommendations. She provided details to address the issues that had been raised during the public questions/statements session.

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

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- Members outlined their satisfaction with the report and the Conditions outlined.

Resolved -

That Planning Permission be granted for the reasons stated in the report, and subject to the conditions outlined in the report.

162. 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 for the period 10 August 2020 to 19 October 2020 inclusive.

Resolved -

That the report be noted.

163. Publication by Local Authorities of information about the handling of planning applications for Quarter 1 – the period 1 July 2020 to 30 September 2020

Considered -

The report of the Corporate Director - Business and Environmental Services which outlined the County Council's performance in the handling of County Matter and County Council Development Planning Applications for the year 2020/21, Quarter 2 (the period 1 July 2020 to 30 September 2020).

Information on Enforcement Cases was also attached as an Appendix.

Resolved -

That the report be noted.

The meeting concluded at 2.35pm.

SL

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

15TH DECEMBER 2020

- PLANNING APPLICATION FOR THE PURPOSES OF THE DEMOLITION OF THE EXISTING PREFABRICATED DOUBLE CLASSROOM BUILDING WITH ASSOCIATED TOILET AND STORAGE FACILITIES (180M²) AND COVERED AREAS (66M²), ERECTION OF SINGLE STOREY CLASSROOM EXTENSION (227M²), WALL MOUNTED EXTERNAL LIGHTING, ERECTION OF TWO GLAZED CANOPIES (76M²), REMOVAL OF HEDGE, PERIMETER FOOTPATH (184.4 SQ. METRES), RELOCATION OF TWO STORAGE SHEDS AND SHELTER, INSTALLATION OF ARTIFICIAL GRASS, HARD AND SOFT LANDSCAPING WORKSON LAND AT SPOFFORTH C E PRIMARY SCHOOL, SCHOOL LANE, SPOFFORTH, HG3 1BA ON BEHALF OF MRS SUE TURLEY OF THE CORPORATE DIRECTOR OF YOUNG PEOPLE SERVICE (HARROGATE DISTRICT) (PANNAL AND LOWER WHARFEDALE ELECTORAL DIVISION)

1.0 Purpose of the report

- 1.1 To determine a planning application for the demolition of the existing prefabricated double classroom building with associated toilet and storage facilities (180m²) and covered areas (66m²), erection of single storey classroom extension (227m²), wall mounted external lighting, erection of two glazed canopies (76m²), removal of hedge, perimeter footpath (184.4 sq. metres), relocation of two storage sheds and shelter, installation of artificial grass, hard and soft landscaping works on land at Spofforth C E Primary School, School Lane, Spofforth, HG3 1BA on behalf of Mrs Sue Turley.
- 1.2 This application is subject to objections having been raised in respect of this proposal on the grounds of access, lighting, design and landscaping and management of the construction phase; and is, therefore, reported to this Committee for determination.

2.0 Background

Site Description

- 2.1 The application site relates to Spofforth Church of England Primary School which is located within the village of Spofforth in the Harrogate district of North Yorkshire, England, about 3 miles north west of Wetherby and 5 miles south of Harrogate. Spofforth Church of England Primary School is a non-denominational school for students aged between 3 and 11 years of age and currently caters for 118 pupils.
- 2.2 The application site is within a residential area which consists of both single storey and two storey residential properties constructed of local cut stone, with pitched roofs. The site is bounded by the public highway of School Lane to the south east of the site and Castle Ings to the south west. The application site consists of the main school building of Spofforth Church of England Primary School. The school is likely to have been built pre-World War II and possibly pre 20 Century, and is constructed

using local cut stone, with a pitched roof. The school itself is located to the south east of the site, and has a temporary classroom unit incorporated with the main building located to the west of the original school building which is the subject to this application proposal for demolition. The school has an area of hard standing to the north, used as a school playground and to the south a grassed area also used as a playground.

- 2.3 The entire school site is on a raised level from the public highway south east of the site of School Lane, with a 1-metre-high local cut stone wall, together with further 1-metre-high metal rail fencing, painted black. It also has a 1 metre high evergreen hedge, running the length along this southern western boundary, along Castle Ings Road. Surrounding the area of hardstanding to the north of the school building, the boundary treatment consists of a 1-metre-high post and rail wooden fencing together with extensive 2-metre-high hedges and several large deciduous trees which provide a canopy over the site. North of the temporary Classroom unit is a 2-metre-high wooden rail and post fence with mature trees and intermittent hedges along the boundary.
- 2.4 A plan showing the application site is attached to this report.

Planning History

- 2.5 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- C6/122/207/C/CMA granted on the 11th February 2003 for the Retention of an old railway carriage for use as a store/changing room unit 2.
 - C6/122/201/E/CMA granted on the 7th June 2004 for the Retention of a West Riding prefabricated unit No.1
 - C6/122/201/F/CMA granted on the 1st December 2004 for the erection of a staff room and toilet extension. Works have been implemented.
 - C6/122/207/D/CMA granted on the 12th January 2006 for the retention of prefabricated unit No. 2.
 - C6/122/201/J/CMA granted on the 10th September 2007 for the retention of West Riding unit 2016.
 - C6/122/201/L/CMA granted on the 8th October 2010 for the retention of West Riding unit 2016.
 - C6/14/00674/CMA granted on the 2nd April 2014 for the erection of a link corridor and demolition of boiler room. Works have been implemented.
 - C6/16/04007/CMA granted on the 4th November 2016 for the retention of prefabricated classroom unit 2016 (123 sq. metres) for a further 6 years.

3.0 The proposal

- 3.1 Planning permission is sought for the demolition of the existing prefabricated double classroom building with associated toilet and storage facilities (180m²) and covered areas (66m²), erection of single storey classroom extension (227m²), wall mounted external lighting, erection of two glazed canopies (76m²), removal of hedge, perimeter footpath (184.4 sq. metres), relocation of two storage sheds and shelter, installation of artificial grass, hard and soft landscaping works on land at Spofforth C E Primary School, School Lane, Spofforth, HG3 1BA on behalf of the Mrs Sue Turley.
- 3.2 The proposal is for the demolition of an existing West Riding prefabricated classroom building 2016 which has been in place on site since pre 1974 and is 123 square

metres in size at the rear of Spofforth Primary School. This building is to be replaced with a larger footprint building (198.91 square metres) in the same position to be mainly used as a two teaching classrooms (at 69.7 square metres and 68.55 square metres). The other part of the building would include a new corridor circulation space (25.4 metres square), staff kitchen (7.9 square metres), a new reception area WC (7.7 square metres), infant WC (7.56 square metres), shower room and WC area (8.1 metres square) and store areas. The accommodation would also include a cloakroom area, storage areas and external doors onto two areas covered by a canopy at the south and east of the proposed area.

- 3.3 The proposed building would be 19.8 metres in length on the western elevation and 12.3 metres in width along southern elevation. The eastern elevation would be 13.2 metres in width as would include the outcrop on the northern side of the proposed building which is 10.7 metres in length. The building would have a height of 5.7 metres at its highest point. The proposed extension would consist of a traditional masonry cavity wall construction with facing stone material to match the existing school hall building that the new development would be connected to. The predominant area of the new proposed roof would be pitched with tiles to match the adjacent existing school hall building that the new development would link to with a hidden flat roofed area of roofing linking the existing and proposed buildings. Windows would be of white powder colour coated in aluminium metal frames with openable windows. New external door sets would be, glazed in white powder colour coated aluminium metal frames. Openable windows would also have top hung openable lights for ventilation purposes, Soffits and fascia's would be in white coloured uPVC and rainwater goods would be in black coloured uPVC. The proposal would also include 7 external wall mounted lights which are proposed to be controlled via an enhanced control system to limit times of when the lighting is actually on and to minimise light intensity when no one is within sensor proximity of the building. Lighting is also proposed to be turned off during daylight hours, with overall control of external luminaires being controlled via a 24/7 digital time clock with on-off-override switching which would be set to prevent lighting being on after 8:30pm. Two proprietary metal framed single pitched, glazed canopies are also proposed to be installed. To the South-east elevation to connect to the "New Reception Classroom" would be a 3-meter-deep, 13.2 metre in length and 2.5 metres in height. The other glazed canopy to the north-east elevation of the "New KS1 Infant Classroom" would be a 4 meters deep and 9.3 meters wide. Both canopies would be supported by timber columns.
- 3.4 Also proposed is a temporary access point to assist in the demolition and construction of the site. The access point required would be situated to the west of the proposal site from Castle Ings next to the current walled accessible pedestrian access ramp route to the school. Due to close proximity to a neighbour's tree (2.9 metres from 4 Castle Ings to the application site) the arboriculture consultant advised not to disturb the accessible ramp adjacent to the tree in order to protect roots. Therefore, a temporary access point adjacent to the walled pedestrian access ramp is proposed which will require a section of hedgerow and retaining wall will be required to be removed. The width required would be 9 metres due to the upward gradient level being 1:3.4 (1.5 metres in height from the roadside level). This has also been calculated as the minimum width amount required to safety allow for 7.5 tonne vehicles to safety enter or reverse into site to avoid vehicle movements from entering the Castle Ings residential cul-de-sac. This would be installed for use during construction works and would be removed from site on completion of the proposed works, where once completed reinstatement of fencing and planting would commence. A remote site compound is also proposed to minimise regular deliveries and disruption related directly to the construction site to be situated within the local Cricket Ground which is positioned to the south-west of the school.

- 3.5 The proposal would also include hard and soft landscaping, with the creation of an artificial grassed area to provide level access from the “New Reception Classroom” situated on the area to the south- west of the proposed building. Hard macadam surface is proposed to create level access to the “KS1 Infant classroom proposed to the north- east of the site with further hard standing macadam surface being proposed to form access around the building. To the north of the proposed building 2-metre-tall powder colour coated metal security fencing and gates are proposed along with New 1.2 metre metal bow topped, colour coated fence and lockable gates to the east of the site off the proposed “New KS1 classroom”. Temporary planter, shed and shelter structures would be relocated from the southern boundary by the hedgerow during works and reinstated to the south west of the site.

4.0 Consultations

The consultee responses summarised within this section of the report relate to responses to consultation undertaken on the 18 June 2020 and the subsequent re-consultation (on 12 August 2020) following the receipt of amended information relating to the constructor’s access and restoration plans following construction.

- 4.1 **Harrogate Borough Council (Planning)** - confirmed on the 23rd July 2020 that the Borough Council have the following observation in relation to this application: *‘The stone boundary walls and hedges to the site are identified as important features in the Spofforth Conservation Area Character Appraisal. It is recommended that further consideration is given to the impact of the proposed construction access on the important stone boundary wall and the hedgerow to Castle Ings with details being required to ensure adverse impacts are minimised/mitigated. Conditions are recommended regarding submission of details of external materials, submission and implementation of a landscape scheme and development in accordance with the recommendations in the submitted tree protection and ecology reports.’*
- 4.2 **Harrogate Conservation Officer** – at the time of writing this report no correspondence has been received in relation to this application.
- 4.3 **Highway Authority** – at the time of writing this report no correspondence has been received in relation to this application.
- 4.4 **NYCC Arboricultural Officer** – Commented on the 20th August 2020 that although it is proposed to install stem box protection to T1 prior to the works there is insufficient detail included for the Tree Precautionary Zone. Further details for site and tree specific tree protection measures will be required and as such should be conditioned in any permission granted.
- 4.5 **Environmental Health Officer (Harrogate)** - provided comment on the 22nd June 2020 stating that working hours for the demolition and construction work should be limited to between 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 hours on Saturdays with nothing on Sundays or Bank Holidays.
- 4.6 Further comment was made from Harrogate Environmental Health in relation to the proposed wall mounted eternal lighting. In order to ensure that this did not lead to light nuisance to the closest residential properties the following condition is recommended to be attached:
‘Before the development commences a written scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions to be made for the level of illumination of the site and to control light pollution. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.’

- 4.7 **NYCC Heritage - Ecology** – provided comment concluding that the affected area is of low ecological value but the TCU does support two day-roosts of individual bats (one Common Pipistrelle and one Brown Long-eared Bat), both using gaps in the soffit. Due to this, should planning permission be granted, a European Protected Species licence will need to be obtained from Natural England. A detailed Method Statement would also need to be agreed as part of the licence but Ecology recommends a condition along the following lines: *‘Mitigation for bats should follow the procedure outlined in section 5.1 of the Ecological Impact Assessment (Naturally Wild, June 2020) and include the compensation measures set out in section 5.2, subject to any amendments subsequently agreed with Natural England.’*
- 4.8 Further comment was also provided by Ecology in relation to the short section of hedge is required to be removed to facilitate the proposed works. A condition is recommended to be applied to any permission in relation to the hedgerow removal to state *‘Any removal of trees, hedgerows or other dense vegetation should preferably be undertaken outside the bird nesting season (March to August inclusive for most species). If this is not possible, a competent person should first confirm that no active nests are present; any active nests must be left undisturbed until young birds have fledged.’*
- 4.9 **NYCC Heritage - Principal Landscape Architect**- commented on the 23rd June 2020 stating that the application details at that time were not sufficient to demonstrate that the existing boundary trees and hedgerow can be protected and retained and that *‘the following clarification/ adjustment was needed:*
- *Provide tree protection plan (not included in the D and A statement). Should show location of and describe all tree protection measures (to BS5837);*
 - *Clarify details of the proposed boundary fence type and colour;*
 - *Layout adjusted to allow sufficient space for the replacement hedgerow;*
 - *Clarify Construction access needed from Castle Ings road and amount of existing hedgerow to be;*
 - *removed (currently shows approx. 12-13m to be removed). This should be minimised where possible;*
 - *Clarify that the existing stone boundary walls will be protected and retained (note on the drawings).’*
- 4.10 Following re-consultation further comment was received on the 14th August 2020 confirming that following review of the additional submitted details no further Landscape objection was held in relation to this application. They were satisfied with the proposed scheme and that the applicant *“proposed all reasonable measures to minimise landscape and visual effects.” A recommendation that a condition is implied to any permission in relation to replacement hedgerow planting being implemented in the first available planting season following completion of the works was also suggested.*
- 4.11 **Spofforth-with-Stockeld Parish Council** – at the time of writing this report no correspondence has been received in relation to this application.

Notifications

- 4.12 County Cllr. Cliff Trotter was notified of the application on the 18th June 2020 and subsequently on the re consultation sent on the 12th August 2020.

5.0 Advertisement and representations

5.1 This application has been advertised by means of two Site Notices posted on 17/06/2020 (responses to which expired on 17 July 2020). The Site Notices were posted in the following locations: one at the entrance to Castle Ings off School Lane, the second on School Lane near to the junction leading to Chapel Lane. A Press Notice appeared in the Harrogate Advertiser on 26 June 2020 (responses to which expired on 17 July 2020).

5.2 Neighbour Notification letters were sent on 18 June 2020 and the period in which to make representations expired on 09 July 2020. The following properties received a neighbour notification letter:

- 1 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 4 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 5 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 7 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 8 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 6, Netherdale, Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 3, Ridgeway, Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- Hazeldene, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- Carr House, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- Stone Haven, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- Greystones, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- 2 Railway Cottages, School Lane, Spofforth, Harrogate, North Yorkshire HG3 1BE;
- Bridge Cottage, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- Steam Cottage, School Lane, Spofforth, Harrogate, North Yorkshire, HG3 1BA;
- 9 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 11 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 13 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;
- 17 Castle Ings, Spofforth, Harrogate, North Yorkshire HG3 IBZ;

5.3 A total of six letters of representation have been received with four raising objections on the grounds of: - access, lighting, management of the construction phase and design and landscaping- in particular removal of established hedgerow.

5.4 A total of two letters of support have been received raising support on the grounds of: - essential replacement of an ageing building.

6.0 Planning policy and guidance

The Development Plan

6.1 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 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.
- 6.2 The *Development Plan* for the determination of this particular application comprises the following:
- The extant policies of the Harrogate District Local Plan 2014 - 2035 (2020)
- 6.3 The Harrogate District Local Plan (adopted 2020) has particular relevance in the determination of this application and the policies most relevant include:
- Policy HP2: Heritage Assets;
 - Policy HP3: Local Distinctiveness;
 - Policy HP4: Protecting Amenity;
 - Policy HP8: Protecting and Enhancement of Community Facilities;
 - Policy NE3: Protecting the Natural Environment;
 - Policy NE4: Landscape Character.
- 6.4 Policy HP2 of the Harrogate District Local Plan ‘*Heritage Assets*’ states that ‘*Proposals for development that would affect heritage assets (designated and non-designated) will be determined in accordance with national planning policy.*’ In relation to conservation areas the policy states that ‘*Proposals for development affecting a conservation area should preserve and, where appropriate, enhance those elements that have been identified as making a positive contribution to its character and special architectural or historic interest*’; and development proposals should ‘*preserve and enhance the character and local distinctiveness of the historic environment. Innovative design of a new building may be appropriate provided it is of high quality and is sensitive to the context of the site.*’
- 6.5 Policy HP3 titled ‘Local Distinctiveness’ states that development should incorporate high quality design that can contribute and enhance or reinforce to local distinctiveness within both urban and rural environments within the district. Development should also ensure that it respects the spatial qualities of the local area including the scale, appearance, use and visual relationships whilst also responding positively to the built form of the local area. Further note should also be taken in relation to the potential contribution to the natural environment and past and present activity that contribute to local distinctiveness. Where a departure from this approach can be justified, an incorporation of a design of exceptional quality, which would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area would be approved.
- 6.6 Policy HP4 of the Harrogate District Local Plan entitled ‘Protecting Amenity’ advises that developments should not result in a significant rise in impacts on amenity of occupiers or neighbours. It states that development should not result in a overlooking/ loss of privacy, overbearing/ loss of light or forms of disturbance through vibration, fumes, noise or other aspects, however, impacts of proposals on amenity will be individually considered.
- 6.7 Policy HP8 titled ‘Protection and Enhancement of Community Facilities’ advises that proposals which involve the loss of land of premises currently or last in community use will be permitted where they can demonstrate that continued use would cause unacceptable planning issues. Proposals involving the improvement of existing

community facilities by way of redevelopment or extension will be supported unless they would cause unacceptable adverse impacts on local amenities and local residential properties.

- 6.8 Policy NE3: *Protecting the Natural Environment* states that proposals that protect and enhance features of ecological and geological interest and provide net gains in biodiversity will be supported. This policy aims to encourage all development to include a net gain in biodiversity and avoid a net loss. This policy is in compliance with the principles of the NPPF in that it states that *'Planning permission should be refused for development that is likely to have an adverse effect, or result in the deterioration of a natural asset, unless the need for, and the benefits of, the development clearly outweighs the loss.'*
- 6.9 Policy NE4 of the Harrogate District Local Plan titled 'Landscape Character' states that proposals which will protect, enhance or restore the landscape character of Harrogate district for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the district will be supported. The policy requires that development protects and/or enhances the character, appearance and local distinctiveness and are sympathetic to the distinctive landscape character areas as identified in the Harrogate District Landscape Character.
- 6.10 It is considered that this Policy is consistent with the NPPF's principles and objectives in relation to the requirements for conserving and enhancing the natural and historic environments, as detailed in Chapters 15 and 16 of the NPPF, in particular paragraphs 180 and 195, which relate 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.

Other policy considerations:

National Planning Policy

- 6.11 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 February 2019)

National Planning Policy Framework

- 6.12 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.
- 6.13 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 defines sustainable development as that which fulfils the following three roles:
- a) **'an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

- 6.14 Within the NPPF, paragraph 11 of the Framework advises that when making decisions, development proposals that accord with the development plan should be approved without delay and when the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- i.) 'the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - i.) 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'.*
- 6.15 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.
- 6.16 Paragraph 92 within Chapter 8 (Promoting healthy and Safe Communities) of the NPPF states that *'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
 - c) 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;*
 - d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
 - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'*
- 6.17 Paragraph 94 within Chapter 8 (Promoting Healthy and Safe Communities) of the NPPF states that *'the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.'* Going on to specify planning authorities should take a *'proactive, positive and collaborative approach to meeting this requirement'*. They should:
- a) 'give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
 - b) work with school's promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'*
- 6.18 Paragraph 124-127 within Chapter 12 (Achieving Well Designed Places) of the NPPF states that local and neighbourhood plans should develop robust and comprehensive policies that set out a clear design vision and expectations of development that will be expected for the area. Such policies should be based on stated objectives and designed with local communities, so they reflect their local aspirations, and are grounded in an understanding and evaluation of each areas defining characteristics. Planning policies and decisions should aim to ensure that developments:
- a) '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;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visits;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

- 6.19 Paragraph 130 within Chapter 12 (Achieving Well Designed Places) of the NPPF 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*
- 6.20 Paragraph 131 within Chapter 12 (Achieving well-designed places) of the NPPF states that *'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'*
- 6.21 Paragraph 180 within Chapter 15 (Conserving and Enhancing the Natural Environment) of the NPPF states that *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
 - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
 - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*
- 6.22 Paragraph 193 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*
- 6.23 Paragraph 195 within Section 16 (Conserving and enhancing the historic environment) of the NPPF states that *'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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use'.*

- 6.24 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) is a web-based resource which has the ability to update regularly. 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: -

Health and Wellbeing

- 6.25 Planning Practice Guidance states that healthy communities should enhance the physical and mental health of the community and, where appropriate, encourage:
'The creation of healthy living environments for people of all ages which supports social interaction. It meets the needs of children and young people to grow and develop, as well as being adaptable to the needs of an increasingly elderly population and those with dementia and other sensory or mobility impairments.'

Conserving and enhancing the historic environment

- 6.26 This states authorities should set out their Local Plan with a positive strategy for the conservation and enjoyment of the historic environment. Heritage assets may be affected by direct physical change or by change in their setting; therefore, it is important to assess the significance of a heritage asset and the contribution to its setting. Furthermore, all heritage assets settings may have more significance than the extent of their curtilage. The guidance also requires authorities to consider the implications of cumulative change and whether a development materially detracts from the asset.

Design

- 6.27 Good 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
- 6.28 The planning practice guidance 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 of 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'.*

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 and need, design, location, local amenity, impact on the character of the area, habitats, nature conservation and protected species the historic environment and highways matters.

Principle of the proposed development, need and justification

- 7.2 The applicant states in the Design & Access Statement (Ref. 17042 Rev. P06, dated 17 September 2020) that the proposed development is required to replace the existing

West Riding prefabricated unit with a new constructed permanent single storey building in approximately the same site location as the prefabricated unit to minimise the impacts to the existing site and surrounding area.

- 7.3 It is considered that the proposal seeks to create and enhance community facilities in terms of education, sustainability and security. It is considered that the development will both protect the existing community services offered by the existing Spofforth Primary School, but also ensure that the school can meet both current and future needs of the local community and replace a temporary structure which currently does not complement the local conservation area.
- 7.4 Concern has been raised regarding the need to remove hedgerow and change the outlook to Castle Ings in order to assist the proposed demolition and development of the additional classroom space.
- 7.5 The Applicant has affirmed in the Clarification Statement (Revision 02, Dated 17/09/2020) that multiple options to create an access point for the construction site have been considered. Due to existing development (fixed play equipment and adventure play space), high value trees which require protection during the proposed works and the gradient of the slope/ land. Therefore proposing creating an access point for machinery associated with the proposed works at the south west corner of the school site at the junction of Castle Ings and School Lane was not viable on this occasion.
- 7.6 It is proposed however, rather than allowing a permanent planning consent for an access point, that a temporary access point be created along Castle Ings to assist with the demolition and construction should permission be granted. The access would be created via removing the absolute minimum of the existing hedgerow and wall to facilitate temporary construction site access. A temporary ramp will be constructed at a gradient of 1:4.3 within the 9 metre opening to accommodate HGV access (vehicles of 8.2 metres in length). The proposed development has also secured a temporary site compound to be situated at the local Cricket Club positioned off School Lane to the west of the school site, this would ensure that materials and machinery can be stored offsite and would not encroach on local amenity and access needs.
- 7.7 It is acknowledged that the development will result in the loss of some of the existing established hedgerow which currently provides a screen from the school to local residential properties. However, this is outweighed by the proposed extensions and associated works, and the continued use of the existing site by Spofforth School for education provision. It is also noted that secured through condition the provision for replacement planting of 'instant' hedgerow and landscaping works are to be proposed, once any temporary compound works relating to the demolition and development are completed if permitted. Furthermore, NYCC Landscape withdrew their objection following re-consultation where the proposed scheme demonstrated that the '*applicant has proposed reasonable measures to minimise landscape and visual effects.*'. The proposal is also in line with the NPPF in terms of Paragraph 94 with the need to alter or expand schools which should be given great weight. It is also consistent with Paragraph 11 of the NPPF. Further support for the development is received within Policy HP3 of the Harrogate District Local Plan which looks to achieve high quality, sustainable development and Policy HP8 which supports the protection, enhancement and retention of community assets.
- 7.8 Given the aforementioned policy support, it is considered that the principle of this development is supported in a policy context, notwithstanding the consideration of all other material considerations.

Location

- 7.9 The location of the proposed classroom unit has been determined on that of the existing Prefabricated unit and is proposed to be on a similar footprint. The proposed works would retain the two classrooms, WC facilities, staff kitchen area and corridor that will form the link to the main school hall- as the current temporary building currently does. The proposed works also do not reduce any playing space that the school currently offers.
- 7.10 It is considered that the location of the unit has been investigated in order to create the most viable solution, which is compliant with Policy HP8 of the Harrogate District Local Plan which supports the protection and enhancement of community assets.

Design and visual impact

- 7.11 The proposed extension will be located towards the north of the application site, which is currently occupied by an existing temporary classroom. The existing temporary unit will be demolished to make way for the new extension, a path around the perimeter of the proposed extension and an access ramp. It is noted that the footprint of the proposed extension will be only slightly larger than the existing extension. Nonetheless the proposed extension is considered to be modest in comparison to its host building due to it being single storey structure and the ridge height being lower than the main building, hence it will be seen as a sympathetic addition to the existing building. The proposal is therefore considered to be in keeping with and in context with the existing buildings of the school site.
- 7.12 Additionally, the proposed extension and associated works will have limited views due to the existing boundary treatment consisting of mature trees, hedgerow (which will not be removed) and fencing which will provide screening. Through the proposal, additional screening will be provided through fencing improvements and replacement planting of instant hedgerow – which although acknowledged would initially be less screening than currently is offered, once planted would still create a good level of screening until fully established and is only considered a temporary negative impact due to construction. It is therefore considered that the proposed development will not have an adverse impact upon the visual amenity of the local area. Furthermore, the proposed extension will be constructed of materials to compliment and match those of the local area and as such will respect the character of the surrounding built environment. The proposal is therefore considered to be acceptable in terms of design, appearance and scale as it will be proportionate to the main school building and will not detract from the character of the local area in which it will be located.
- 7.13 The proposed extension and associated works is therefore considered to be consistent with Paragraph 124-127 and 130 of the NPPF and PPG guidance in terms of design due to it being of an appropriate design, optimising the use of the site and an enhancement to the school sites general amenity. Additionally, the proposal is in compliance with Policy HP2 of the Harrogate District Local Plan and Policy HP3 of the Harrogate District Local Plan which states that the scale, density, layout and design should respect the character of the locality, make the most efficient use of land and being proportionate to the context of the site. All of which seek to ensure that developments will not detract from the appearance and character of the local area, adding weight in support of this application through the removal and replacement of a temporary structure which currently does not complement the local area with a structure that is permanent and of higher design quality

Local amenity

- 7.14 The nearest residential properties are located on Castle Ings, which are located immediately adjacent the school site to the west and north respectively with partial views onto the school site due to established boundary treatments of fencing, trees and hedges currently in place. Due to the positions of the residential properties potential impact of the proposed development upon local amenity is an important consideration in the determination of this application.
- 7.15 The creation of the new permanent structure on the school site for teaching provision is considered unlikely to generate any additional noise or other environmental impacts which would be of detriment to local residential amenity, especially as the footprint of the development is very similar to the current temporary unit. It is acknowledged that the works comprising the demolition and removal of the existing unit and construction of the new permanent classrooms and associated rooms could result in additional noise being generated for the temporary period in which works would take place, however it is proposed that hours of construction being restricted by condition to ensure minimal impact on residential amenity.
- 7.16 External lighting is included in the proposal, However, given the low level height of the additional lighting and the time controls proposed to be in place they are unlikely to have an adverse impact upon residential amenity which is in compliance with HP4 of Harrogate District Local Plan which requires that proposals protect local amenity and prevent negative impacts through lighting schemes. Furthermore, no objections have been received from Harrogate Borough Council (Planning and Environmental Health Officers), both of whom raised no objection to the scheme, but requested a condition to be added on any grant of planning permission in regards to the external lighting.
- 7.17 It is considered that once constructed, the new development would be more in keeping with its setting and unlikely to appear out of place in regards to the existing school buildings which is consistent with Policy HP4 of the Harrogate District Local Plan. The replacement of a temporary structure is also supported through the Design section in the National Planning Practice Guidance. To this effect, it is considered that there would be limited visual impact upon local amenity resulting from the proposed development, being consistent with the paragraph 180 of the NPPF in terms of development not undermining the quality of life.

The Historic Environment

- 7.18 In the context of this planning application the designated heritage asset is the Spofforth Conservation Area in which the site is within. The specific test for consideration are whether the proposed development would give rise to a circumstance where substantial harm to the interests or the significance of the designated heritage asset would arise, as a result of the effects of the development. Where a proposed development is deemed to lead to less than substantial harm, the assessment of the development must be weighed against the attendant public benefits of a proposal.
- 7.19 The Heritage Statement (Ref: SOL2021-10, Rev. 1.2, dated May 2020) produced by the agent states that 'The proposed development will result in a minor positive impact in terms of the setting of the Spofforth Conservation Area, principally through the fact that there will be a considerable improvement to views to and from the site where possible, particularly from both School Lane and Castle Ings. Furthermore, the replacement of the existing modern prefabrication unit with a more traditional higher quality permanent structure will also result in minor positive impact to the setting.' On the basis of the Heritage Statement that the applicant has provided it is considered that the works would have a positive impact on school and the proposal would remain in keeping with the surrounding area, This is in keeping with paragraph 193 of the NPPF for considering the potential impacts the proposal has on the conservation area and

Harrogate District Local Plan Policy HP2 as the public benefits of the proposal outweigh any harm that may occur during the temporary construction period within the conservation area, and therefore it is considered that the proposed works have been justified.

- 7.20 The NPPF paragraphs 180 and 195 advise any application has to take into account the desirability heritage assets and ensure new development makes a positive contribution to the local character and distinctiveness. Additionally, national policy in the form of the NPPF and PPG both confirm that where the development proposal would 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. It is noted that the PPG guidance confirms that it is the degree of the works, rather than the scale, which determines the extent of the harm. It is considered that this proposal and the degree of works would not lead to substantial harm to the significance of the heritage asset, which is the Conservation Area because the proposed structure has been sympathetically designed and would be constructed to match the existing school building. This would be in keeping with the immediate surroundings preserving the character of the Conservation Area. The removal of a section of retaining wall along Castle Ings in order to help create the temporary access for works has been noted and the applicant has confirmed that this feature will be rebuilt to match the existing wall in condition and style; which will be achieved following recorded photographic evidence taken before works commence and secured through a condition if planning is permitted. The proposed development would provide public benefits in relation the school therefore it is considered in accordance with the above mentioned guidance and policies including paragraphs 92, 94 and 196 of the NPPF.
- 7.21 The design of the proposed works is considered to be both sympathetic and in-keeping with the existing school site and the Conservation Area. As such, it is felt that the works would not result in substantial harm to the significance of Conservation Area. Therefore, the proposal is considered to be in-keeping with the principles of the NPPF, PPG (), the Harrogate District Local Plan through policies HP2, NE3 and NE4 and with Part II of the Planning (Listed Building and Conservation Areas) Act, which seek to ensure that the enhancement of conservation areas are given special attention, adding considerable weight in support of this application.

Highways matters

- 7.22 The Highway Authority have commented in relation to highway safety or capacity. The impact of the proposal on the road network and the small amount of construction vehicles using School Lane and Castle Ings as access, would not have a significant impact on the road network so long as conditions are applied to manage the construction phase. Although a temporary access is proposed to assist the demolition and construction phases, it is not proposed to change the way the site is accessed from the surrounding area following completion of the work. Site traffic and deliveries will be restricted to avoid peak activity times at the school and all other access to the site will be managed throughout the construction phase which is proposed to be conditioned to mitigate any effects of the local community. Therefore, it is considered that the proposed development will not have any negative impact on the nearby highway and is acceptable.

Impact upon the Natural Environment and Natural Landscape

- 7.23 In regards to the impact of the proposal it will have upon the existing natural environment and natural landscape, consideration has been given through the consultation with the NYCC Ecology, Principal Landscape Architect and Arboriculture

officers. Their consultation response indicates they do not have objections to the proposed scheme, however recommended conditions relating to tree protection measures, lighting impact controls, mitigation for wildlife and vegetation removal to be imposed on any grant of planning permission. It is therefore considered that subject to the recommended conditions, the proposed scheme will not have detrimental impact upon the natural environment and the natural landscape.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this application for the demolition of the existing prefabricated double classroom building with associated toilet and storage facilities (180m²) and covered areas (66m²), erection of single storey classroom extension (227m²), wall mounted external lighting, erection of two glazed canopies (76m²), removal of hedge, perimeter footpath (184.4 sq. metres), relocation of two storage sheds and shelter, installation of artificial grass, hard and soft landscaping works
- 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 reason(s):

- i. the principle of the proposal improves the facilities and amenity of the school;
- ii. it is considered that the proposed development will not adversely affect the character of the local area;
- iii. it is considered that the proposed development would not adversely impact upon local amenity; and
- iv. it is considered that the proposed development is in accordance with NPPF (2019), NPPG (2014), Policies HP2, HP3, HP4, HP8 and NE3 and NE4 of the Harrogate District Local Plan (2020) .

9.2 It is recommended that, **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

Conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

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

2. The development hereby permitted shall be carried out in accordance with the application details dated 08/06/2020 and the following approved documents and drawings:

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
17/042/A/001 P01	05/09/2019	Location Plan
17042/A/010 P01	05/09/2019	Existing Site and Block Plan
17042/A/015 P02	05/09/2019	Contractors Site Plan Access Plan

17042/A015 P03	21/08/2020	Contractor vehicle auto tracking access to site compound plan
17042/A/201 P02	05/09/2019	Existing Elevations
17042/A/221 P03	05/09/2019	Proposed Elevations
17042-A-120 P05	05/09/2019	Proposed General Arrangement Plan
17042-A-130 P03	07/04/2020	Proposed Roof Plan
17042 P06	17/09/2020	Design and Access Statement
Spofforth Church of England School Revision 02	17/09/2020	Clarification Statement
APP-19-21	June 2020	Ecological Impact Assessment
DOC2021-24 Rev. 1.2	May 2020	Heritage Impact Assessment
BA9407AMS	26/05/2020	Arboriculture Method Statement

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

3. *No construction, demolition or any other works shall take place except between the following times:*

08:00 – 18:00 Mondays to Fridays

08:00 – 13:00 Saturdays

and at no time on Sundays and Bank (or Public) Holidays.

Reason: In the general interest of residential amenity.

4. Once the temporary access has been created only vehicles associated with on-site construction works are permitted to access the site via the approved temporary access as shown in Drawing No's. 17042/A/015 Revision P02 and 17042/A020 Revision P03 with the temporary access only to be used by vehicles associated with the construction works. Upon completion of the construction works the temporary access road and access point off Castle lngs shall be removed and the land reinstated to its previous condition, including reinstatement of the retaining wall and any hedge planting as replacements following removal to create the access of Castle lngs.

Reason: In the interests of highway safety and visual amenity.

5. The development hereby approved, shall, at all times, be carried out in accordance with the recommendations set out in the Ecological Impact Assessment (Naturally Wild Consultants Limited, ref. APP-19-21, dated June 2020).

Reason: In the interests of protecting wildlife and their habitats.

6. No operations shall commence on site in connection with the development hereby approved (including any demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the root protection area (RPA) works required by the approved tree protection scheme are in place.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

7. Prior to commencement of development further details for site and tree specific tree protection measures will be required to be submitted within the Tree Precautionary Zone document to and approved in writing by the County Planning Authority. The TPZ shall provide further details of location, alignment and design of tree protective measures on site, taking into account any realignment for phasing of construction. Thereafter, the fencing shall be retained intact for the full duration of the works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the County Planning Authority.

Reason: This is a pre-commencement condition and considered warranted given the particular circumstances in the absence of the requisite information accompanying the application and imposed to ensure protection during construction works of trees and hedges which are to be retained on or near the site in order to ensure that the character and visual amenity of the area is not impaired.

8. Existing trees must be protected and retained i the duration of the construction works. If any retained tree is removed, uprooted or destroyed or dies, another tree must be planted at the same place and that tree must be of such size and species, and must be planted at such time, as may be specified in writing by the County Planning Authority.

Reason: To ensure protection during construction works of trees and hedges which are to be retained on or near the site in order to ensure that the character and visual amenity of the area in sot impaired.

9. Before the development commences a written scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions to be made for the level of illumination of the site and to control light pollution. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

Reason: In the interests of local amenity.

10. Mitigation for bats should follow the procedure outlined in section 5.1 of the Ecological Impact Assessment (Naturally Wild, June 2020) and include the compensation measures set out in section 5.2, subject to any amendments subsequently agreed with Natural England.

Reason: In the interests of protecting wildlife and their habitats.

11. Any removal of trees, hedgerows or other dense vegetation should preferably be undertaken outside the bird nesting season (March to August inclusive for most species). If this is not possible, a competent person should first confirm that no active nests are present; any active nests must be left undisturbed until young birds have fledged. Any Replacement Hedgerow should be planted in the first available planting season following completion of works.

Reason: In the interests of protecting wildlife and their habitats.

12. Throughout the works on the application site all existing stone removed from the boundary wall shall be recorded and then stored for resiting. If additional material is required samples of the replacement stone shall be submitted to the County Planning Authority for approval in writing in consultation with the District Conservation Officer. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure the character of the conservation area is maintained.

13. All hedgerow planting set out in accordance with details approved under Condition 2 shall be carried out in the first planting season following the commencement of development. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the County Planning Authority gives its written consent to any variation.

Reason: In the interests of minimising the potential for environmental harm and in the interests of local amenity.

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

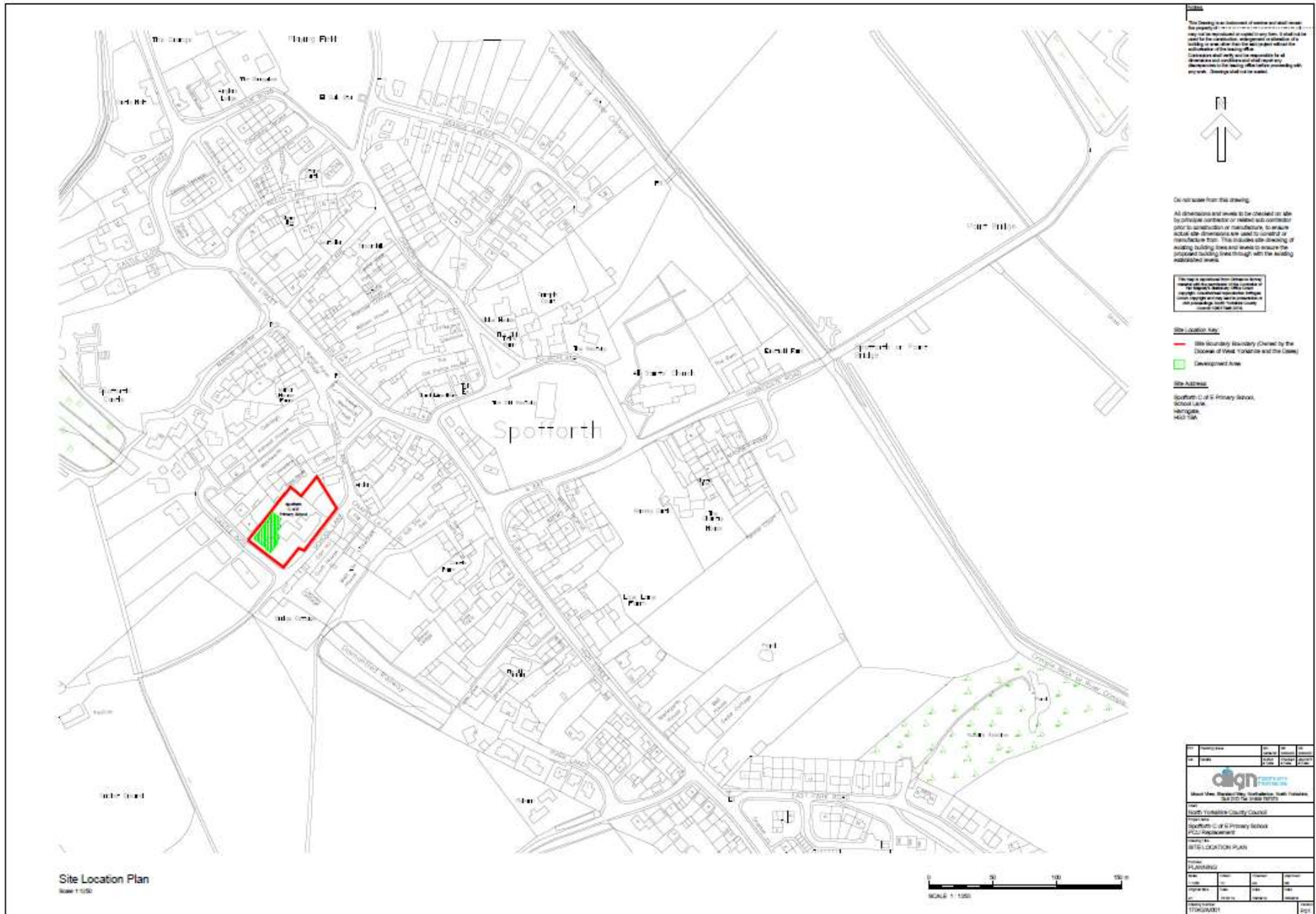
In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals 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.

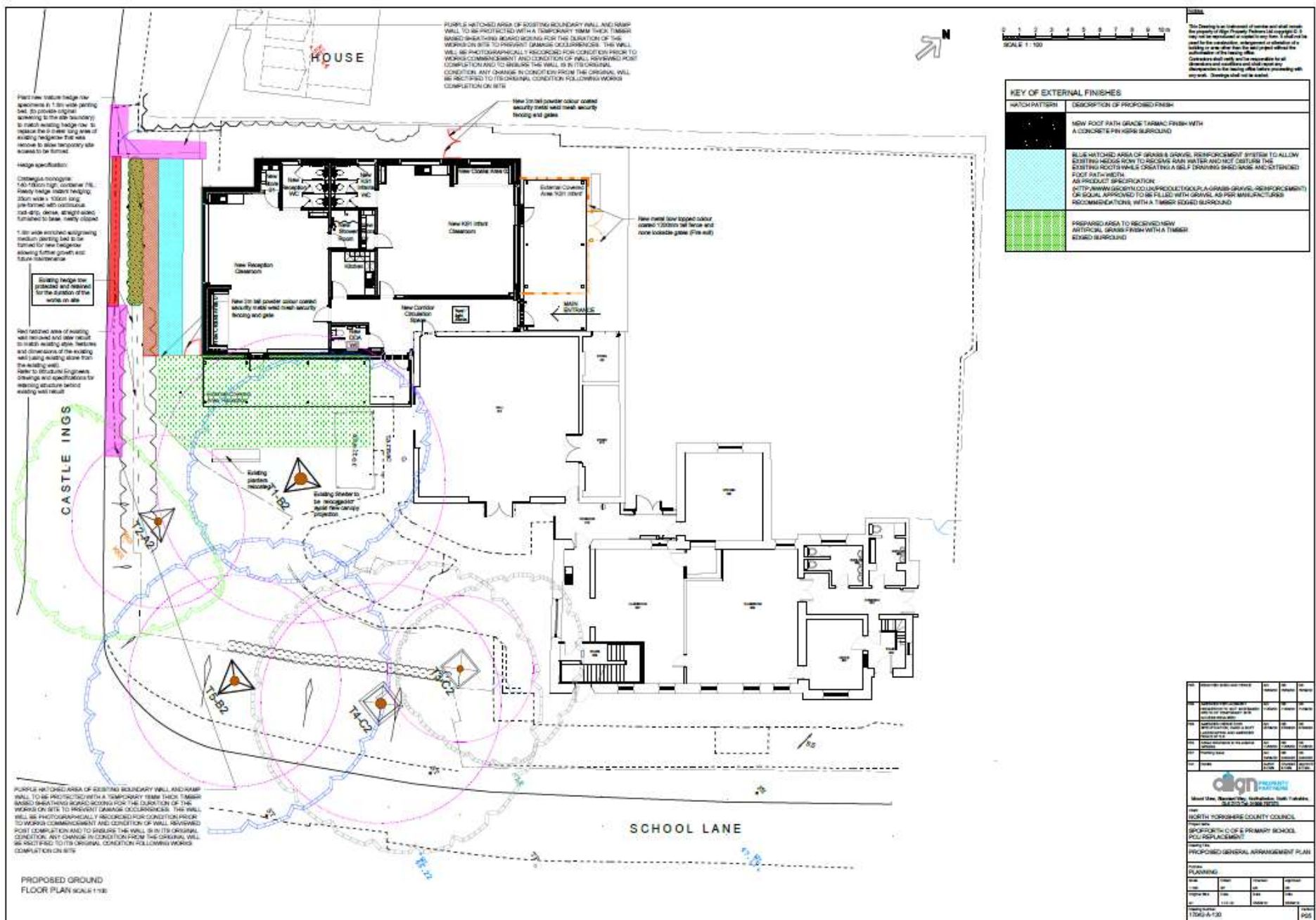
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Corporate Director, Business and Environmental Services
Growth, Planning and Trading Standards

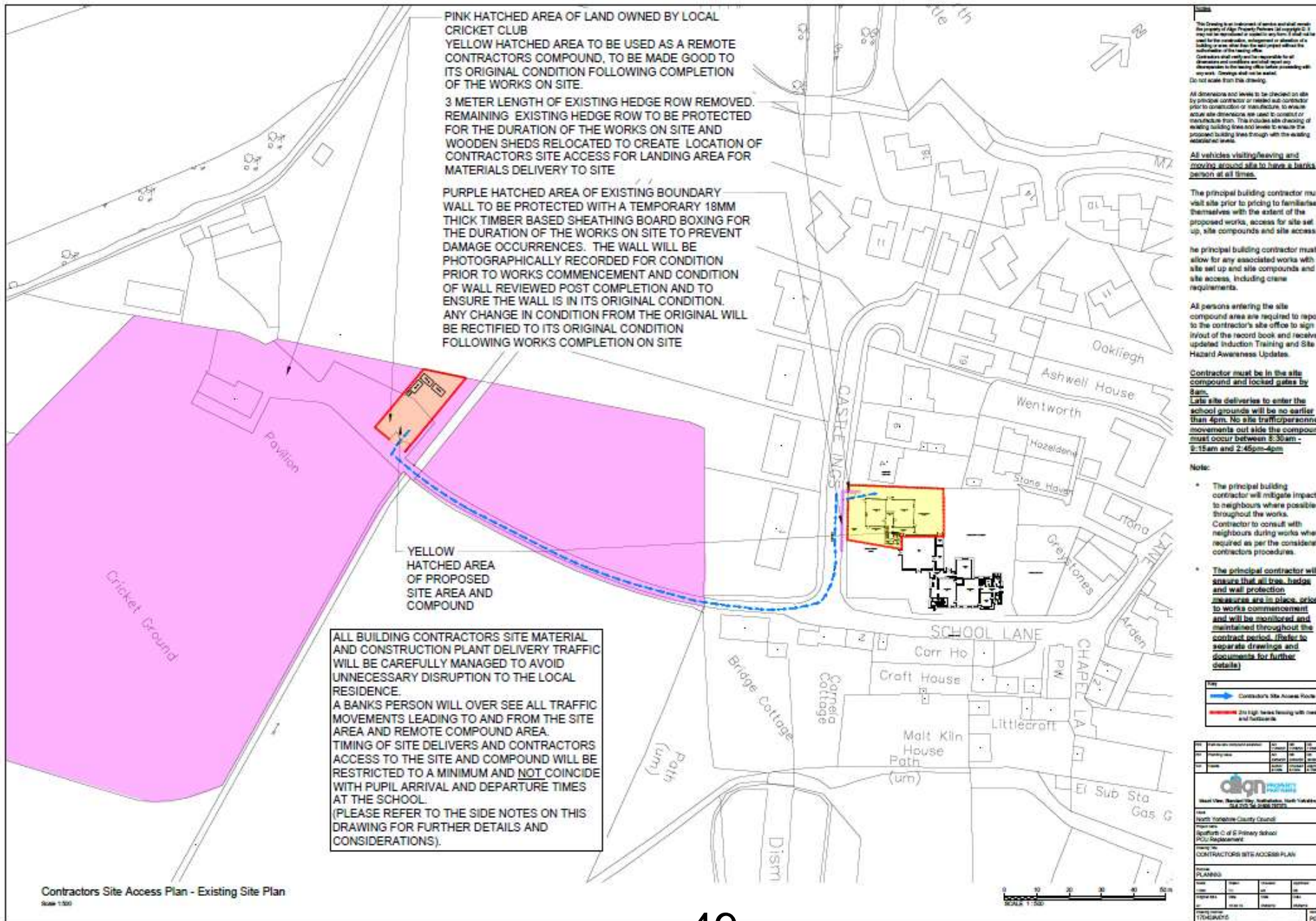
Background Documents to this Report:

1. Planning Application Ref Number: C6/20/02250/CMA NY/2020/0092/FUL as valid on 08/06/2020 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.

Author of report: Emma Coverdale







PINK HATCHED AREA OF LAND OWNED BY LOCAL CRICKET CLUB
 YELLOW HATCHED AREA TO BE USED AS A REMOTE CONTRACTORS COMPOUND, TO BE MADE GOOD TO ITS ORIGINAL CONDITION FOLLOWING COMPLETION OF THE WORKS ON SITE.
 3 METER LENGTH OF EXISTING HEDGE ROW REMOVED. REMAINING EXISTING HEDGE ROW TO BE PROTECTED FOR THE DURATION OF THE WORKS ON SITE AND WOODEN SHEDS RELOCATED TO CREATE LOCATION OF CONTRACTORS SITE ACCESS FOR LANDING AREA FOR MATERIALS DELIVERY TO SITE

PURPLE HATCHED AREA OF EXISTING BOUNDARY WALL TO BE PROTECTED WITH A TEMPORARY 18MM THICK TIMBER BASED SHEATHING BOARD BOXING FOR THE DURATION OF THE WORKS ON SITE TO PREVENT DAMAGE OCCURRENCES. THE WALL WILL BE PHOTOGRAPHICALLY RECORDED FOR CONDITION PRIOR TO WORKS COMMENCEMENT AND CONDITION OF WALL REVIEWED POST COMPLETION AND TO ENSURE THE WALL IS IN ITS ORIGINAL CONDITION. ANY CHANGE IN CONDITION FROM THE ORIGINAL WILL BE RECTIFIED TO ITS ORIGINAL CONDITION FOLLOWING WORKS COMPLETION ON SITE

YELLOW HATCHED AREA OF PROPOSED SITE AREA AND COMPOUND

ALL BUILDING CONTRACTORS SITE MATERIAL AND CONSTRUCTION PLANT DELIVERY TRAFFIC WILL BE CAREFULLY MANAGED TO AVOID UNNECESSARY DISRUPTION TO THE LOCAL RESIDENCE.
 A BANKS PERSON WILL OVER SEE ALL TRAFFIC MOVEMENTS LEADING TO AND FROM THE SITE AREA AND REMOTE COMPOUND AREA.
 TIMING OF SITE DELIVERS AND CONTRACTORS ACCESS TO THE SITE AND COMPOUND WILL BE RESTRICTED TO A MINIMUM AND **NOT** COINCIDE WITH PUPIL ARRIVAL AND DEPARTURE TIMES AT THE SCHOOL.
 (PLEASE REFER TO THE SIDE NOTES ON THIS DRAWING FOR FURTHER DETAILS AND CONSIDERATIONS).

Notes
 The Drawing is an indication of works and shall remain the property of the Project. No part of this drawing is to be reproduced or copied in any form. It shall not be used for the construction, development or alteration of a building or any other structure for the project without the authorisation of the issuing office.
 Contractors shall verify and be responsible for all dimensions and conditions and shall report any discrepancies to the issuing office before proceeding with work. Changes shall not be made.
 Do not scale from this drawing.

All dimensions and levels to be checked on site by principal contractor or related sub-contractor prior to construction or installation. To ensure accurate site dimensions are used to construct or manufacture from. This includes site drawing of existing building lines and levels to ensure the proposed building lines through with the existing residential levels.

All vehicles visiting/leaving and moving around site to have a banks person at all times.

The principal building contractor must visit site prior to pricing to familiarise themselves with the extent of the proposed works, access for site set up, site compounds and site access.

The principal building contractor must allow for any associated works with site set up and site compounds and site access, including crane requirements.

All persons entering the site compound area are required to report to the contractor's site office to sign in/out of the record book and receive updated induction Training and Site Hazard Awareness Updates.

Contractor must be in the site compound and locked gates by 8am.
 Late site deliveries to enter the school grounds will be no earlier than 4pm. No site traffic/perennial movements out side the compound must occur between 8:30am - 9:15am and 2:45pm-4pm

Note:

- The principal building contractor will mitigate impact to neighbours where possible throughout the works. Contractor to consult with neighbours during works where required as per the contractors contractors procedures.
- The principal contractor will ensure that all trees, hedges and wall protection measures are in place prior to works commencement and will be monitored and maintained throughout the contract period. (Refer to separate drawings and documents for further details)

Legend
 Contractor's Site Access Route
 2m High Traffic Hoarding with Signs and Barricades

NO.	DATE	DESCRIPTION	BY	CHKD	STATUS
01	12/11/2023	Issue for Information	PO	PO	Final
02	12/11/2023	Issue for Information	PO	PO	Final
03	12/11/2023	Issue for Information	PO	PO	Final
04	12/11/2023	Issue for Information	PO	PO	Final
05	12/11/2023	Issue for Information	PO	PO	Final

Head Office: Head Office, North Yorkshire Council, North Yorkshire, YO1 1PR
 Project Name: North Yorkshire County Council
 Project Ref: Agourth C of R Primary School
 Project Location: Agourth C of R Primary School
 Drawing No: CONTRACTORS SITE ACCESS PLAN
 Drawing Title: CONTRACTORS SITE ACCESS PLAN
 Drawing Scale: 1:500
 Drawing Date: 12/11/2023
 Drawing Status: Final
 Drawing Author: PO
 Drawing Checker: PO

Contractors Site Access Plan - Existing Site Plan
 Scale 1:500

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

15 December 2020

Publication of Developer Contribution Agreements – Infrastructure Funding Statements

Report of Assistant Director, Growth Planning and Trading Standards

1.0 Purpose

1.1 The purpose of the report is to set out the information required to be published and how, as part of the County Councils Infrastructure Statement.

Recommendation: To note the contents of the report.

2.0 The Infrastructure Funding Statements

- 2.1 The Community Infrastructure Levy (CIL) regulations require all local planning authorities that issue a CIL liability notice or enter into section 106 planning obligations during a reporting year to publish an infrastructure funding statement (IFS) at least annually. The information required to be published is set out in an IFS is pursuant to Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019.
- 2.2 The regulations require:
- (a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
 - (b) A report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
 - (c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).
- 2.3 North Yorkshire County Council is required to publish these on the Council’s website. Appendix A is the explanatory text for the public. Appendix B shows the data that will be published which includes an Infrastructure List, CIL Report and S106 Report.
- 2.4 The reporting year is 1 April 2019 to 31 March 2020.

2.4 The County Council can update the report at any time during the year, though must report on the previous reporting year's activity by 31 December each year.

3.0 Community Infrastructure Levy

3.1 The County Council is not a CIL charging Authority and has not received any CIL funds from District Councils during the reporting period. Therefore, the report is limited to s106 agreements that the County Council is party to.

4.0 Website

4.1 The information at Appendix A and B will be made available on the website.

<h3>5.0 Recommendations</h3>

<p>5.1 The committee notes the contents of the report.</p>
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Matt O'Neill
Assistant Director, Growth Planning and Trading Standards

Author: Michael Reynolds
Senior Policy Officer (Infrastructure)

Appendix A

Infrastructure Funding Statements

The requirement to publish an Infrastructure Funding Statement is pursuant to Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019. Regulation 121A – Annual Infrastructure Statements. Schedule 2 – Matters to be included in the annual funding statement.

The regulations require:

- (a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
- (b) A report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
- (c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

The reporting period is 1 April 2019 to 31 March 2020

The Community Infrastructure Levy

The County Council is not a CIL charging Authority and has not received any CIL funds from District Councils during the reporting period. Therefore, the report is limited to s106 agreements that the County Council is party to.

Section 106 Agreements

Planning obligations under Section 106 of the Town and Country Planning Act 1990), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

For the County Council this often means entering into a s106 agreement with a developer to provide for example additional school places to accommodate a new development or required alterations to the highway. These can be in form of works or financial contribution. Details of these agreements are below.

Appendix B

Annual Infrastructure Funding Statement April 2019-March 2020

Infrastructure list

The County Council is not a CIL Charging Authority. There are four CIL charging Authorities within the County Council

Hambleton District Council
Harrogate Borough Council
Ryedale District Council
Selby District Council

The County Council is not in receipt of any CIL funds. When we are in receipt of CIL funds we will publish here what infrastructure those CIL receipts have been passed to the County Council for.

CIL Report

No CIL funds have been received from District Councils during the reporting period

Section 106 Report

Date of S106 Agreement	Planning Application Reference	Site	Contribution	Non financial contribution	Purpose	Received
18 June 2019	18/02118/OUTMAJ / 19/04375/REMAJ		£155,566.00		For the purpose of providing additional educational facilities at Goldsborough Church of England Primary School and/or such other primary school within the locality served by the Development the need for which only arises as a result of the Development.	No

29 October 2019	63/2012/13167		£ 231,132.00		Education facilities at Greatwood and/or provision of new school within locality site	No
30 July 2019	19/00768/OL		£169,950.00		Education Facilities	No
11 June 2019	18/01532/FULMAJ		£74,778.00		Education Facilities	No
10 February 2020	18/00710/FULL		£220,935.00		Education Facilities	No
18 June 2019	18/04749/FULMAJ		£183,546.00		Education Facilities for key stage 2	No
7 June 2019	19/00109/FL		£166,551.00		Education Facilities	No
11 July 2019	18/02960/FULMAJ		£13,596.00		Education facilities for Rossett Acre and / or other primary schools serving the area.	No
9 April 2019	17/00710/OUT		£197,142.00		"Education Contribution" means the sum of £197,142 (one hundred and ninety seven thousand one hundred and forty two pounds) to be paid to the County Council and to be used by it towards capital expenditure to enable the provision of additional school places at St Mary's Church of England Primary School, Bolton on Swale and/or towards a new school serving the locality within which the Development is situated PROVIDED THAT if the total number of dwellings to be constructed pursuant of the Planning Permission is fewer than 58 the amount of the education contribution will be recalculated in accordance with the following formula:- 1) the number of dwellings divided by four to give the number of primary school places created by the Development (A) 2. the contribution per primary school place is £13,596 (B) 3. the education contribution is AxB	No
11 November 2019	18/04528/FULMAJ		£122,364.00		to be used by the County Council for the provision of additional education facilities at Tockwith Church of England Primary School.	No
09/04/2019	17/00710/OUT	Land to the West of Scorton			Associated Highways Works	No
24/12/2019	18/01053/FL	Land adjoining Church Lane			Associated Highways Work	No
10/04/2019	2017/18237/OUT	Hawbank Field	£15,000.00		Highway Improvement Contribution - Improvements to the junction of the A6131 and A59 located to the north-east of the site	No
22/05/2019	17/01350/OUTMAJ	Land off Boroughbridge Road	£50,000.00		Traffic Scheme Contribution - complementary measures associated with the Traffic and air quality scheme	No
			£5,000.00		Travel Plan Monitoring Fee	
			£8,000.00		TRO Contributions - extend the 30mph speed limit on Boroughbridge Road and implementing such order if confirmed	

28/11/2019	17/01897/OUTMAJ	Harrogate Road	£5,000.00		Travel Plan Monitoring Fee	No
			£5,000.00		TRO Contribution - Extend the 30mph Speed limit on Harrogate Road	
20/05/2019	17/02937/FULMAJ	Land at Aldborough Gate	£5,000.00		Travel Plan Monitoring Contribution	No
			£5,000.00		TRO Contribution - relocate speed limit on Chapel Hill	
11/06/2019	18/01532/FULMAJ	Yule Lane/New Lane	£100.00 (per dwelling)		Public Transport Contribution [sum per dwelling]	No
			£25,000.00		Cycle/Pedestrian Infrastructure Contribution	
			£5,000.00		Travel Plan Monitoring Fee	
05/06/2019	18/01557/FULMAJ	Land comprising OS Field No. 6952, Harrogate Road	£12,000.00		Vehicle Activated Sign - Solar powered electronic traffic signs to monitor speed of traffic on the A6055 Harrogate Road	Yes
05/06/2019	2015/0712/OUT	The Poplars			Associated Highways Works	No
04/04/2019		Drax Power Station	£388,750.00		Landscape mitigation projects	No

Table 2

Funds received in reporting year

Year payment received	Planning Application Reference	School named in S106 agreement	Value of payment	The purpose of payment	The amount of the payment that has been spent	The amount that has been committed but not spent	The amount that has not been committed or spent
2019/20	10/02373/OUT	Keeble Gateway Primary Academy	£ 650,000.00	To provide additional educational facilities.		£ 650,000.00	
2019/20	16/04981/OUTMAJ	Dishforth CE	£ 101,970.00	To provide additional educational facilities.	£ 101,970.00		
2019/20	14/03119/FULMAJ	Harrogate High and/or Harrogate Grammar and/or Rossett School	£ 448,475.00	To provide additional educational facilities.	£ 376,000.00		£ 72,475.00
2019/20	16/05603/FULMAJ (18/00187/DISCON)	Holy Trinity Junior	£ 52,441.71	To provide additional educational facilities.	£ 52,441.71		
2019/20	15/01691/FULMAJ	Meadowside Academy	£ 62,031.75	To provide additional educational facilities.			£ 62,031.75
2019/20	14/03119/FULMAJ	New Park Primary	£ 577,830.00	To provide additional educational facilities.	£ 577,830.00		
2019/20	13/02358/OUTMAJ (17/02123/REMMAJ)	Pannal CP	£ 125,000.00	To provide additional educational facilities.	£ 125,000.00		
2019/20	15/05478/OUTMAJ (17/05030/DVCMAJ) (18/00821/REMMAJ)	Rossett Acre Primary	£ 69,679.50	To provide additional educational facilities.			£ 69,679.50

2019/20	15/05478/OUTMAJ (17/05030/DVCMAJ) (18/00821/REMAJ)	Rossett School	£ 54,080.84	To provide additional educational facilities.	£ 54,080.84		
2019/20	15/01484/FULMAJ	Tockwith Primary Academy	£ 74,778.00	To provide additional educational facilities.		£ 74,778.00	
2019/20	15/01999/EIAMAJ	Western CP or New School	£ 121,321.00	To provide additional educational facilities.		£ 121,321.00	
2019/20	14/02737/EIAMAJ	Western CP/ Saltergate/ New School	£ 203,940.00	To provide additional educational facilities.			£ 203,940.00
2019/20	16/00139/FULL	Colburn CP	£ 311,941.04	To provide additional educational facilities.	£ 311,941.04		
2019/20	14/01362/FL	Lindhead Primary	£ 45,107.00	To provide additional educational facilities.		£ 45,107.00	
2019/20	2015/0586/OUT 2018/0468/REM	Barlby CP	£ 125,763.00	To provide additional educational facilities.		£ 125,763.00	
2019/20	2015/0712/OUT 2017/1356/REMM	Brayton CE or St Mary's Catholic	£ 74,778.00	To provide additional educational facilities.			£ 74,778.00
2019/20	2012/1103/FUL 2015/0318/FUL (2016/1382/FUL)	Kirk Fenton CE	£ 132,561.00	To provide additional educational facilities.			£ 132,561.00
2019/20	2015/0105/OUT	Selby High School	£ 111,855.02	To provide additional educational facilities.	£ 111,855.02		

2019/20	2012/0399/EIA & 2012/0400/EIA / 2014/1091/REM	Sherburn Athelstan CP	£ 509,837.50	To provide additional educational facilities.	£ 509,837.50		
2019/20	2015/0356/OUT	Whitley & Eggborough CP	£ 13,596.00	To provide additional educational facilities.			£ 13,596.00
2019/20	18/01557/FULMAJ	Ferrensby	£12,000.00	Vehicle Activated Sign - Solar powered electronic traffic signs to monitor speed of traffic on the A6055 Harrogate Road	£12,000		