

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on 18 July 2017 at 10.00 am.

Present:-

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

Also present - County Councillor Janet Sanderson.

There were ten members of the public in attendance.

Copies of all documents considered are in the Minute Book

11. Minutes

Resolved -

That the Minutes of the meeting held on 6 June 2017, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

12. Declarations of Interest

County Councillor Zoe Metcalfe declared an interest in respect of the applications at Minute No. 14 (C3/16/01918/CPO - (NY/2016/0194/ENV)) and Minute No. 15 (C3/17/00604/CPO - (NY/2017/0129/FUL)) in relation to her having a conflict of interest due to a member of her extended family being the owner of Scampston Hall, which has a boundary with the application site and her having free use of the Hall for a charity event. She considered that the connection could give rise to an appearance of a lack of impartiality and, therefore she withdrew from the meeting during consideration of these items and took no part in the discussion or vote thereon.

13. Public Questions or Statements

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

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

connection (Option 1 - 5.26 km and Option 2 - 8.25km) to the 66kV grid via the primary substation at Yedingham at Land to the South of Knapton Quarry/Landfill Site, Knapton

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application, as outlined above.

The application was subject to 18 objections having been raised by local members of the public (summarised in paragraphs 5.4 of the report), an objection from the County Council's Principal Landscape Architect and also significant concerns raised by Ryedale District Council, the NYMNP National Trails Officer and Wintringham and Scampston Parish Councils (Section 4 of the report) and was, therefore, reported to the Committee for determination.

The Chairman noted, as a preliminary matter, that some Members of the Committee, but not all, and no officers nor objectors, had received detailed information from the applicant, in the days immediately prior to the meeting, which had not been in the public domain and, therefore, had not been subject to public scrutiny.

In view of the issues outlined by the Chairman Members considered that it may be appropriate to defer the application for consideration at a subsequent meeting, to ensure that the information submitted by the applicant was published in the public domain, allowing all within the process to have access to those details.

Resolved -

- (i) That the above application be deferred for consideration at a subsequent meeting to allow the information submitted by the applicant to be published in the public domain, allowing all those involved in the planning process to have access to that information.
- (ii) That when Members received information direct from an applicant/objector in future, that this be shared with Legal and Democratic Services and Planning Services Officers to ensure that this was published within the public domain allowing all those involved within the process to have appropriate access.

15. C3/17/00604/CPO - (NY/2017/0129/FUL) - Retention and change of use of existing waste transfer buildings and associated yard, weighbridge and ancillary structures to allow for waste recycling Knapton Quarry Landfill Site, Knapton

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine an application for the retention and change of use of existing waste transfer buildings and associated yard, weighbridge and ancillary structures to allow for waste recycling and pre-treatment operations on land at Knapton Quarry Landfill Site, Knapton.

The application was subject to an objection having been raised by the County Council's Principal Landscape Architect and objections and concerns raised by two local residents and Heslerton Parish Council and was, therefore, reported to the Committee for determination.

As with the previous application a large amount of information had been submitted to some of the Members of the Committee, but not all, and not to officers nor objectors, in the days immediately prior to the meeting. Again, in view of the information not being in the public domain, Members considered whether it would be appropriate to defer the application for consideration at a subsequent meeting, to allow the information to be published accordingly.

Resolved -

That consideration of the above application be deferred to a subsequent meeting, to allow the information detailed to be published in the public domain and subjected to public scrutiny.

16. **C8/999/16U/PA – (NY/2016/0251/FUL) - Change of use of part of the former coal mine site to create a waste transfer facility for construction and demolition wastes, installation of a weighbridge, a skip storage area, portable amenity cabin (30 sq. metres) and the provision of car parking spaces at Former Stillingfleet Mine Site, Escrick Road, Stillingfleet**

Resolved -

That it be noted that the Applicant requested that consideration of the application be deferred, prior to the meeting, and would be considered at a subsequent meeting of the Committee.

17. **C8/43/2S/PA – (NY/2017/0091/FUL) - Variation of condition No's 1, 6, 13 and 15 of Planning Permission Ref. C8/43/2R/PA to increase the number of train loads associated with the importation of aggregate from 70 per calendar year to 200 per calendar year and to allow the stockpiling of aggregate within the boundary of Planning Permission Ref. C8/43/2R/PA at Plasmor Ltd., Heck Works, Green Lane, Great Heck, Goole, East Yorkshire**

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application, as outlined above.

The application was subject to objections having been raised by four local residents and Heck Parish Council in respect of the proposal, which were summarised in paragraphs 4.9 and 5.3 of the report, and was, therefore, reported to the Committee for determination.

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

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

An update to the original report was provided in respect of a late representation having been received from a nearby resident. The late representation was in addition to representations already submitted by that resident and related to noise disturbance from use of the 'head shunt' which was positioned opposite to the properties in question. In response to this representation the applicant had noted that the 'head shunt' was outside of the application site and belonged to Network Rail. In view of this it was noted that the use of the 'head shunt' could not form part of the conditions for the application. It was stated that Environmental Health Officers had been contacted in relation to this

representation and they had not lodged an objection in respect of noise issues related to the application, and considered that the noise conditions outlined were appropriate.

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

- ◆ Clarification was provided as to how many HGV movements would be taken off local roads by increasing the amount of material that was brought to the site by rail.
- ◆ A Member raised concerns regarding the continuation of the existing hours of operation, indicated within the conditions, suggesting that to mitigate the disturbance on nearby local properties, there was an opportunity, through this application, to reduce the amount of hours that operations could take place, thereby, reducing the impact on those residents. It was noted, in response, that with very few additional train deliveries being requested, with no more than one per day taking place, it would not be appropriate to change the existing condition in terms of hours of operation.
- ◆ A Member asked whether any equipment was utilised for monitoring dust issues at the site. In response it was stated that no equipment had been utilised to date, as a package of measures was in place to ensure that dust levels were kept to required standards, by the applicant, however, should a significant problem occur then Environmental Health would recommend the specific monitoring equipment to use.
- ◆ A Member raised concerns regarding the removal of the aggregate from the train to the temporary storage stations, before moving this onto the aggregated stockpile, and suggested that this could create dust pollution. In response it was noted that mitigation measures were in place to minimise the amount of pollution generated during that process.

Resolved -

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

18. Items dealt with under the Scheme of Delegation

Considered -

The report of the Corporate Director - Business and Environmental Services, outlining the items dealt with under the Scheme of Delegation between 8 May 2017 to 18 June 2017, inclusive.

Resolved -

That the report be noted.

The meeting concluded at 10.35 am

SL/JR