

North Yorkshire County Council

Strategic Planning Committee

Minutes of the remote meeting held on Thursday, 30 January 2025 commencing at 10.30 am.

Councillor Andy Paraskos in the Chair plus Councillors Bob Packham, Andy Brown, Richard Foster, Andrew Lee, John McCartney, Yvonne Peacock, Clive Pearson (as a substitute for Councillor Hugill), Neil Swannick, Roberta Swiers and Andrew Timothy.

In attendance: Councillor Janet Jefferson (for items 84 and 85)

Officers present: Catriona Gatrell (Head of Legal Planning, Property and Environment), Martin Grainger (Head of Development Management), St John Harris (Principal Democratic Services Officer), Daniel Metcalfe (Development Management Team Manager), Sam Till (Minerals and Waste Technical Advisor), David Walker (Development Service Manager), Trevor Watson (Assistant Director Planning)

Apologies: Councillors John Cattanach, Hannah Gostlow, David Hugill, Tom Jones and John Mann.

Copies of all documents considered are in the Minute Book

82 Minutes of the meeting held on 10 December 2024

Cllr McCartney referred to an omission in the minutes: he had declared a personal interest in relation to Minute 78/79 (Settrington Quarry) which had resulted in his departure from the meeting for these items. Subject to the addition of this detail, the minutes of the meeting held on 10 December 2024 were confirmed and signed as an accurate record.

83 Declarations of Interest

There were no declarations of interest.

Planning Applications

The Committee considered reports of the Head of Development Management and the Assistant Director of Planning (Community Development Services) relating to applications for planning permission. During the meeting, officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the conditions as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

In considering the officer reports, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan, the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below.

84 ZF24/00333/RG3 - Works to the West Pier and the buildings on it, comprising: Extension and change of use of Building 1 public toilets (sui-generis), offices (Class E(g)(i) and artist's studios (sui-generis) to form restaurant (Class E(b)). Change of use of Building 2 first floor Café storage (Class E(b)) and part of office (Class E(g)(i)) to form artist's studios (sui-generis) and gallery (Class E(a)). Alterations to Building 3, and change of use of part of industrial/storage (Class B2/B8) within, to form retail (Class E(a)) unit and enlarged Café (Class E(b)). Demolition of Building 4 (storage/warehouse) and Building 5 (bait sheds). Erection of bait shed (new Building 4). Demolition of existing retail kiosks (Building 6) fronting Foreshore Road. Erection of retail kiosk (Class E(a)), public toilets (sui generis) and sub-station (sui-generis) building (new Building 7). Alterations to public realm including realignment of parking facilities to provide 81 public car parking spaces which

The Head of Development Management – Community Development Services sought determination of a planning application for works to the West Pier and the buildings on it, comprising: extension and change of use of Building 1 public toilets (sui generis), offices (Class E(g)(i) and artists studios (sui generis) to form restaurant (Class E(b)). Change of use of Building 2 first floor Café storage (Class E(b)) and part of office (Class E(g)(i)) to form artists studios (sui generis) and gallery (Class E(a)). Alterations to Building 3, and change of use of part of industrial/storage (Class B2/B8) within, to form retail (Class E(a)) unit and enlarged Café (Class E(b)). Demolition of Building 4 (storage/warehouse) and Building 5 (bait sheds). Erection of bait shed (new Building 4). Demolition of existing retail kiosks (Building 6) fronting Foreshore Road. Erection of retail kiosk (Class E(a)), public toilets (sui generis) and sub-station (sui generis) building (new Building 7). Alterations to public realm including realignment of parking facilities to provide 81 public car parking spaces which would also be used as a flexible, temporary outdoor event space at West Pier, Scarborough, North Yorkshire, on behalf of North Yorkshire Council.

Providing an update since the publication of the report, the planning officer advised that a further representation had been received calling into question the council's ability to implement the planning consent. This matter was already addressed in the report. He also referred to a committee site visit which had taken place and a further letter of objection received from the Friends of Scarborough Harbour.

The applicant's agent, Stephen Price, spoke in support of the application.

James Corrigan spoke objecting to the application.

Division Member, Councillor Janet Jefferson also spoke in relation to the application.

During consideration of the above application, the Committee's discussion centred on the following matters:

- Whether the proposed development precluded the development of facilities to service the offshore wind industry including the installation of a boat lift (officer reply: any future developments in this respect would be the subject of further planning applications as appropriate. Approval of this planning application did not preclude further developments on the West Pier which had undergone many changes over time)
- Concern that the proposed surface water drainage arrangements directed water into the sewers rather than into the sea (officer reply: to direct surface water run off into

the sea would have entailed drilling into sheet piling which would undermine the structural integrity of the pier)

- Why solar panels were not part of the proposed scheme? The application would benefit from an energy statement (officer reply: the provision of solar panels was not a requirement of planning policy – the SBC Local Plan – but the aggressive marine environment may also have been a factor in why solar panels were not proposed)
- The nature of the proposed restaurant (officer reply: this was not a material planning consideration)
- Concern at the proposed reduction in floorspace for the fishing industry (officer reply: the size was deemed better suited to serve the needs of the shellfish industry)
- Concern how the proposed scheme was justified in terms of passing the sequential test in respect of paragraph 91 of the NPPF which directed that the main town centre uses, including retail and leisure uses, should be located in town centres, then at the edge of centre locations (officer reply: officers accepted the applicant's argument that the development needs to be assessed on an 'aggregated basis', looking at the proposal as a whole rather than as separate elements. Consequently the scheme could not realistically be disaggregated as the regeneration proposal was locationally specific to West Pier)

The decision:

That consideration of the planning application be DEFERRED pending receipt of:

- (i) More detailed analysis of the potential economic gains and losses of the proposed scheme
- (ii) Further clarification and details about the proposed surface water drainage arrangements
- (iii) An energy statement pertaining to the proposed scheme
- (iv) Further clarification and details of how the proposed scheme passes the sequential test in respect of paragraph 91 of the NPPF which directs that the main town centre uses, including retail and leisure uses, should be located in town centres, then at the edge of centre locations; and also of how the proposed scheme passes the sequential and exception tests as per the revised Flood Risk Assessment.

Voting record:

A vote was taken and the motion was declared carried unanimously.

There was a break in the meeting at which point Councillor Timothy arrived.

- 85 ZF24/00334/LB - Application for Listed Building Consent in relation to works to the West Pier and the buildings on it, comprising: Building 1 - external repairs; external and internal alterations; demolition of lean-to outbuilding, stone steps, stone balcony and balustrade; erection of plant room, storage extension and glazed extension with balcony above. Building 2 - external repairs; external and internal alterations. Building 3 - external repairs; demolition of external stairs and balcony; external and internal alterations. Demolition of buildings 4, 5 & 6. Erection of 1no. three storey building and 1no. single storey building. Resurfacing pier. Formation of access road and pedestrian routes. Installation of street furniture and creation of car parking at West Pier, Scarborough, North Yorkshire, on behalf of North Yorkshire Council**

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external repairs; external and internal alterations. Building 3 - external repairs; demolition of external stairs and balcony; external and internal alterations. Demolition of buildings 4, 5 & 6. Erection of 1no. three-storey building and 1no. single storey building. Resurfacing pier. Formation of access road and pedestrian routes. Installation of street furniture and creation of car parking at West Pier, Scarborough, North Yorkshire, on behalf of North Yorkshire Council.

The applicant's agent, Richard Maddison, spoke in support of the application.

Anthony Springall spoke objecting to the application.

The Committee was advised that following their decision to defer consideration of the previous application on the agenda, it was for Members to determine if they had sufficient information to determine this application for Listed Building Consent.

The decision:

That Listed Building Consent be GRANTED subject to conditions detailed in the committee report.

Voting record

A vote was taken and the motion was declared carried unanimously.

86 NY/2023/0062/ENV - Planning application for a lateral southern extension to work and process limestone utilising the existing quarry access, wheel wash, workshop, staff facilities and weighbridge, mobile plant, construction of soil storage bunds, amenity planting and restoration to agriculture on land at Whitewall Quarry, Welham Road, Norton on Derwent

The Assistant Director of Planning – Community Development Services sought determination of a planning application for lateral southern extension to work and process limestone utilising the existing quarry access, wheel wash, workshop, staff facilities and weighbridge, mobile plant, construction of soil storage bunds, amenity planting and restoration to agriculture at Whitewall Quarry, Welham Road, Norton on Derwent, YO17 9EH, on behalf of W Clifford Watts Ltd.

Updating the report, the planning officer advised that a further response from the landscape officer had been received on the 27 January 2025 which confirmed they were content with the conditions placed on the application, however they requested an additional bullet point be added to the restoration scheme condition (Condition 39) in relation to (i) requiring to review and update the restored areas as shown on the plans, and (ii) for the restoration scheme to include a scheme for additional screen planting on the main access and associated boundary to Whitewall Hill Road.

The planning officer also referred to further objections received since the publication of the report concerning highways movements and other matters which were already addressed in the report.

The applicant's agent, Malcom Ratcliff, spoke in support of this and the next application on the agenda.

Celia Bates spoke objecting to this and the next application on the agenda.

During consideration of the above application, the committee discussed the following issues:

- The proposed maximum number of HGV movements of 240 per day (120 each way) which was departure from MWJP policy (based on the applicant's previous submission) but accepted by the Highway Authority on the basis that this figure would still allow the local road network to operate and would not have a severe impact.
- Concern that the soil storage bunds set aside for future restoration of the site should not be kept in a weed free condition as stipulated in Condition 31 on environmental grounds
- How the conditions around operation times, noise levels, and HGV movements would be monitored and enforced
- Whether there had been any complaints outside the planning process around operation times, noise levels and HGV movements in recent years (Officer response: none which had been substantiated)

The decision:

That planning permission be GRANTED subject to conditions listed in the report, with the amendment to Condition 39 in relation to restoration, the amendment to Condition 31 removing the requirement for the soil storage bunds to be kept weed free, and prior completion of a S106 agreement with terms as detailed in Table 1 of the report.

Voting record:

A vote was taken and the motion was declared carried unanimously.

Councillor Lee left the meeting after this item.

87 NY/2023/0195/ENV - Planning application for the consolidation of existing mineral extraction, inert construction waste recycling, and ancillary uses (concrete batching, workshop, offices, messroom), utilising the quarry access and mobile plant with restoration to agriculture and nature conservation including the importation of soil on land at Whitewall Quarry, Welham Road, Norton on Derwent

The Assistant Director of Planning – Community Development Services sought determination of a planning application for consolidation of existing mineral extraction, inert construction waste recycling, and ancillary uses (concrete batching, workshop offices, messroom), utilising the quarry access and mobile plant with restoration to agriculture and nature conservation including the importation of soil at Whitewall Quarry, Welham Road, Norton on Derwent, YO17 9EH, on behalf of W Clifford Watts Ltd.

Updating the report, the planning officer advised that a further response from the landscape officer had been received on the 27 January 2025 which confirmed they were content with the conditions placed on the application, however they requested an additional bullet point be added to the restoration scheme condition (Condition 40) in relation to (i) requiring to review and update the restored areas as shown on the plans, and (ii) for the restoration scheme to include a scheme for additional screen planting on the main access and associated boundary to Whitewall Hill Road.

The planning officer also referred to further objections received since the publication of the report concerning highways movements in relation to the site's operations, the impact on the area in terms of noise, the requirement of the concrete plant in this location and the dimension stone from the site. These matters were addressed in the report and in the officer's presentation to the committee.

During consideration of the above application, the committee discussed the following issues:

- The proposed maximum number of HGV movements of 240 per day (120 each way) for both applications on the agenda and the maximum of 140 HGV movements per day (70 each way) for the ancillary operations of the concrete plant and recycling. 380 movements in total per day. These had been deemed acceptable by the Highway Authority. No vehicle limit was originally set for the concrete plant so this was a new restriction for that part of the operation.
- Given the sensitivities around HGV movements, it was proposed that under Condition 43, this issue be added to the matters to be considered under the Annual Review with an informative that backhaul be encouraged as much as possible.
- That this was a consolidation application which reflected a continuation of the current operation but with more robust conditions

The decision:

That planning permission be GRANTED subject to conditions listed in the report, with the amendment to Condition 40 in relation to restoration, the amendment to Condition 31 removing the requirement for the soil storage bunds to be kept weed free, the amendment to Condition 43 to include reference to HGV movements, with an informative added regarding backhaul, and prior completion of a S106 agreement with terms as detailed in Table 1 of the report.

Voting record:

A vote was taken and the motion was declared carried unanimously.

88 Such other business as, in the opinion of the Chair should be, by reason of special circumstances, considered as a matter of urgency.

There were no urgent items of business.

The meeting concluded at 2.40 pm.