

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held remotely, via Microsoft Teams, on 16 November 2021 at 10.00 a.m.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Caroline Goodrick, David Hugill, Mike Jordan, John McCartney, Zoe Metcalfe and Chris Pearson

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

In addition, six members of the public joined the meeting remotely.

Copies of all documents considered are in the Minute Book

250. Welcome and Introductions

The Chairman welcomed everyone to the meeting and made the following statement:-

You will have seen the statement on the Agenda front sheet about current decision-making arrangements within the Council, following the expiry of the legislation permitting remote committee meetings. I just want to remind everyone, for absolute clarity, that this is an informal meeting of the Committee Members. Any formal decisions required will be taken by the Chief Executive Officer under his emergency delegated decision-making powers after taking into account any the views of the relevant Committee Members and all relevant information. This approach was agreed by full Council at its July meeting following a review, and will be the subject of a further review and consideration at the November meeting of the County Council.

The Chairman advised that apologies for absence had been received from Councillors Robert Heseltine and Clive Pearson.

Members and officers then introduced themselves.

251. Minutes of the meeting held on 28 September 2021

Resolved -

That the Minutes of the meeting held on 28 September 2021, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record at the next available opportunity, subject to the following amendment:-

Towards the very start of the Minutes, amend the third line to read "Minutes of the meeting held at County Hall on 28 September 2021 at 10.30 a.m." (rather than "Minutes of the meeting held remotely, via Microsoft Teams...")

252. Declarations of Interest

There were no declarations of interest.

253. Public Questions or Statements

The Chairman stated that there were no general questions or statements from members of the public, but there were six speakers in relation to the application below – three in favour and three (including the agent for the applicant) against.

254 C3/20/00239/CPO - Planning application for the construction of an artificial grass pitch (AGP) 7420 Sq. metres), erection of a 4.5 metre high mesh perimeter ball stop fencing, eight 15 metre high lighting columns, 2 metre high and 1.2 metre high mesh perimeter barrier fencing, 3 metre wide entrance gates, creation of hard standing area and footpath (938 external sq. metres), erection of a steel maintenance equipment storage container (15 sq. metres) and hard and soft land landscaping works on land at Ryedale School, Gale Lane, Nawton, Helmsley, YO62 7SL on behalf of the Ryedale Federation

Considered -

The report of the Corporate Director, Business and Environmental Services, requesting Members to determine this matter as set out in the above heading.

This application is subject to 17 objections in total, including from the Landscape Architect in respect of the potential adverse effects on the local landscape character and setting within an Area of High Landscape Value and further objections having been raised in respect of this proposal on the grounds of site suitability, residential amenity - in particular, lighting and noise impact - impacts on biodiversity and highway matters. Therefore, the application is being reported to this Committee for determination.

Public statements were made by the following:-

- Jonny Pickard
- Steve Peters
- Gillian Ault and Richard Howell
- Mark McCandless
- Alex Strickland
- Phil Keeley

The statements are reproduced below. The first three speakers spoke against the application and the fourth, fifth and sixth speakers spoke in favour of the application:-

Jonny Pickard – joined the meeting remotely and made the following statement:-

I would like to register the strongest possible objection to this proposed development. My property faces southward directly opposite the proposed development. During a lighting test carried out on Wednesday 12th May 2021, the light emitted from just 1 out of the 8 proposed floodlights was so bright that we could not bare to look out of the back of our house. The glare from the light was offensive, and completely unacceptable! You can actually see the photo I took as my background today which was taken from the downstairs of our house and you can see how much glare there is from just one of the floodlights.

With the downstairs lights turned off, the light was projecting shadows all through the inside of our house. I dread to think about the impact of 8 floodlights, and the associated noise until 10pm!

As was said previously, the Principal Landscape Architect has noted his concerns over the proposed lighting, citing the 'lighting overspill', 'significant adverse impact on local character' and 'increased traffic and user noise'.

This proposed development would have a detrimental impact on all the surrounding properties, on the village and surrounding area and would be better suited to a larger town if, indeed, it is required at all.

Steve Peters – joined the meeting remotely and made the following statement:-

Councillors can you see and hear me? Thank you for the opportunity to comment. My name is Steve Peters. I am a resident of Beadlam and I wish to speak against the application.

This proposal is to establish a busy football centre at Ryedale School which is outside the Development Limits of the village of Beadlam, on a narrow country lane that is at risk of flooding. The proposed utilisation would be as a school facility for only one third of the time, the remaining two thirds being as a 'pay- as- you- play' sports centre for clubs of the Football League.

The Planning Officer emphasises the 'community' benefits in her report. The beneficiaries of this facility would not be the local community - they have well established sports facilities to serve their needs at Beckett's Field. The community benefiting here would be the League Football clubs of the County. If they need an all- weather facility they should locate it at the site of Kirkbymoorside Football Club, which already has a flood- free pitch, plentiful support facilities, frequent buses, and is accessible to a much wider community. It is crazy to establish such a facility at Beadlam, where there is neither infrastructure nor frequent public transport. Has an investment appraisal been carried out? It would seem not yet from Condition 17 of the officers report.

On page 64 of the document, we see that Pre-Application Advice wasn't sought either? Why was this? Both of the Parish Councils and many residents are against this proposal and it appears to be only weakly supported by a few businesses.

In my view, the Planning Officer has not given the village of Beadlam's needs sufficient weight in her analysis. To support the Federations proposals would be stretching Policies SP11 and SP16, in that it would establish a new facility outside development limits with no linkage to the real local community.

Most importantly, I strongly endorse the objection by the Council's Principal Landscape Architect that there would be an unacceptable disturbance of local landscape character and thus would contravene Policy SP13. We are located in an area of high landscape value and even with the proposed reduction in operating hours the new facility's visual and noise impact on the village would be deeply intrusive at weekends and in the evenings.

Also, in my view she has not given sufficient weight to the comments of her Principal Landscape Architect. I disagree with her conclusion in 8.2 that 'the proposed facility would not have a material impact on the village amenity'

Councillors, I urge you to vote against this application. The Football League's aspirations should not be realised at Beadlam. Developments of this scale should be confined to the Market Towns. Ryedale School's attention should be totally focused on Covid catch-up schemes at the moment.

Let us not encroach on the countryside unnecessarily; and let's preserve North Yorkshire's beautiful skyline for future generations.

Lastly, there are 3 errors in the Planning Officer's report which need to be corrected for the record - at (paragraphs 7.12, 7.36 and 7.37):

7.12 North Western

7.36 Site 481 is land North of School

7.37 The PLA still objects to the proposal. This was a measure to reduce the impact.

Thank you.

Gillian Ault and Richard Howell – were unable to join the meeting. The Clerk read out their statement, as follows:-

I can't attend the meeting on Tuesday, but I would like my objection read out.

My concerns are about lighting, the use of plastics and rubber particles for the Astro Turf and the high fencing. The village of Beadlam surely shouldn't be considered for such a proposal in the area it is. No matter what has been said, I'm a resident who loves the peacefulness of the surrounding fields, a haven for wildlife.

This pitch surely goes against the schools view on plastic and the environment. In summer the Astro turf heats up to an extent it can't be played on, the rubber particles can be ingested by people, birds and animals. The floodlight experiment, caused so much confusion for the wildlife and was totally obtrusive for the residents, plus the noise and traffic for the people down Gale Lane.

The area has plenty of surrounding pitches, surely the village of Beadlam is inappropriate for such a plan.

Richard and I strongly oppose the plan.

Kind regards.

Mark McCandless, Ryedale Learning Trust – joined the meeting remotely and made the following statement:-

Thank you for this opportunity to speak.

Firstly, I hope local residents who expressed concerns initially about this project, feel reassured that we have adjusted the original planning application having listened to their feedback.

Ryedale School is a fantastic school and we are incredibly lucky to live and work in such a beautiful rural location. However, the school and community are lacking high quality leisure facilities of this nature that can be used throughout the year.

Aside from playing fields which are generally unplayable from November through to April,

the school's sports facilities comprise a small gym - 1 badminton court size - a small fitness suite and 6 hardcourt tennis courts to provide physical education lessons and extracurricular provision to 740 students.

The lack of indoor or all-weather outdoor facilities mean that our students have greatly restricted opportunities to participate in school clubs over the winter months, and in terms of fixtures our teams have to travel to other schools with all weather pitches and flood lighting - home fixtures cannot take place.

Residents in the local and wider community who wish to play team sports either recreationally or competitively have to travel significant distances over the winter months to gain access to suitable floodlit all weather facilities. The lack of public transport, the cost of transport and the time required for travel mean for many that they simply cannot access these facilities and consequently benefit from the physical and mental health related benefits.

A facility like this has been needed in the area for years, but never more so than now on the back of the pandemic with growing concerns around the population's physical and mental well-being. The recent UN climate change conference, encouraging everyone to act now in terms of more sustainable practice and more sustainable solutions, only serves to add incentive to moving ahead with this project. It is absolutely timely that we should now look to bolster locality-based leisure facilities.

To the schools and communities' benefit, the Football Foundation are supportive of this project and will consider awarding a grant of up to £500k to help make it become a reality, subject to planning permission, and on the proviso that we can deliver their desired outcomes which include increasing access for disability sport, women's football and walking football - all of which are rightly in our plan.

This, I believe, is a once in a lifetime opportunity to help deliver a world-class 3G all-weather facility which will benefit Trust students and residents from the local and wider community for generations to come.

Thank you for your consideration.

Alex Strickland – joined the meeting remotely and made the following statement:-

Good morning, thank you for having me to speak.

I am Kirkbymoorside football club's first team manager and club secretary. Our club is partnering the school to enable them to get grant funding from the football foundation. I am also a committee member for the local Beckett football league, whose 20 teams are all behind the exciting project. There are currently 20 teams in the Beckett League and this facility will enable the league to get games played, where ordinarily they would be cancelled and provide a state of the art facility for training, which will only encourage more players to get involved in the game.

As a club, we have 2 senior men's teams who play in the York Premier Division and Beckett League first division. Our junior section has teams from Under 6 to Under 16. This provides opportunities for over 200 boys and girls to play sport in our area. We are running at capacity with 3 games per week on our main pitch and 2 games a week on our junior pitches which are on the outfield of the cricket pitch which has seen the demise of cricket over the recent years.

As a club, we need this facility. We have been looking for additional land with no luck unfortunately. All the surrounding land has been earmarked for planning or is not for sale as it is valued farmland

During every season we always struggle with keeping the pitches in good condition due to the weather. There will be over 5 games for each age group that get cancelled due to the weather every season.

Because of the weather we also have to hold our training sessions on Pickering and Malton's artificial pitches. As Mark mentioned, this causes problems with transport and running costs for the club.

This proposed facility would enable us to introduce girls football and start an Under 19 team for the boys who aren't quite ready for men's football, walking football and disability football which are all teams we have been asked about in recent years and had to say no.

I went to Ryedale school myself and since leaving in 1997 the improvement to the physical education facilities has been limited, despite the schools increase in pupil numbers. Whilst the school continues to compete at a very high standard in all sports with other schools in the area, the development of much better up to date facilities would improve the pupils experience and skills to a level where they can really excel. The school has been able to provide excellent state of the art facilities for the Performing Arts department and now it is time for the PE department to reach the same standard in their field.

This facility would be a huge asset to the school and the community not only for football but for multi-sports also.

Thank you.

Phil Keeley – joined the meeting remotely and made the following statement:-

I acted as the planning agent for the School/Football Foundation. Labosport entered into a contract with the FA whereby we make applications on behalf of Schools/other Local Authority areas/Clubs etc., for artificial grass pitches.

We have probably done about 60 applications in the past 2/3 years. Although planning has changed over the years and more information is now required, we have adapted our processes to provide this information.

A lot of the time taken to get to Committee is because a lot of planning applications now require information up front rather than conditioning it so we looked at areas such as the following:-

- *Drainage / LLFA*
- *Ecology*
- *Environmental – Light and Noise*
- *Landscape*
- *Highways*

Each of these areas has been looked at in detail and adjustments made to the proposal or reports prepared following site investigations in some areas. These were presented back through planning to their consultees for comment.

An awful lot of my time been spent on this application and we have presented all the information as required over two years in various reports uploaded onto the Planning Portal which are available to the public to look at. Although some issues have been raised we have tried to mitigate these and I don't think any of the consultees have had any further comeback, through Planning, to us regarding the type of mitigation envisaged.

The Design and Access Statement sets out information in respect of the NPPF as well as providing more pertinent local information. The framework sets policies which need to be adopted by authorities to allow a full balance of any proposal. The Design and Access Statement produced for the application looks at the policies in the NPPF and provides the required information, both positive and negative and along with the positive impact on the school and community in terms of health and wellbeing, it also provides information regarding the negative impact and how mitigation has been put in place so that national and international limits on environmental pollution have been met and effects on the local landscape have been minimised.

Thank you.

Following the public statements, a representative of the Head of Planning Services presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations.

The representative of the Head of Planning Services gave a verbal update to the Report in respect of Climate Change and informed Members that as part of Ryedale's net zero target by 2050 that developments are encouraged to be as sustainable as possible. The Ryedale Local Plan acknowledges that a multi-functional countryside is an important way in which the rural economy can be diversified and sustained in the longer term, and is increasingly seen as an opportunity to help address and mitigate the effects of climate change. The proposed scheme would reduce the required travelling distances needed to be made to go to similar schemes - reducing carbon emissions and would utilise LED energy efficient lighting and through the proposed mitigation promote and increase biodiversity opportunities.

The report also provided a conclusion and recommendations and detailed plans, photographs and visual information were presented to complement the report.

The Chairman thanked the representative of the Head of Planning Services for her comprehensive report. Members then undertook a detailed discussion of the application with the following points highlighted:-

- Some Members expressed concern about the lighting scheme and the test that had been undertaken. The representative of the Head of Planning Services advised that the effect of the lighting would be mitigated by louvres and correct tilting and that the Conditions will allow monitoring to restrict any impact.
- A Member mentioned that Condition 4 just says that the lights be switched off and suggested that it should be switched off using time clocks. The representative of the Head of Planning Services said that the County Planning Authority would be open to

an amendment to state the lighting will be controlled by time clocks.

- A Member referred to the height of the lighting. The representative of the Head of Planning Services confirmed that altering the height would have other implications. For example, the lighting level for playing, so would not be feasible.
- Councillor Hugill declared a personal interest in the report as a Member of the North Yorkshire Moors National Parks Authority and asked if they had been consulted. The representative of the Head of Planning Services confirmed that the National Park Authority had not been consulted, as the application is not within its area.
- A Member sought confirmation that during the erection of the lighting columns tests would be carried out and discussions would be held with residents. The representative of the Head of Planning Services confirmed that Condition 5 requires that the development achieves the assessment levels and the words "*To the satisfaction of the County Planning Authority*" could be inserted resulting in involvement in terms of ensuring residents are satisfied with the lighting and an expectation is that School Management would take a good neighbour approach and communicate with residents. Further Members discussions resulted in a further proposal that Condition 4 should also state that "*and shall be maintained thereafter, in accordance with the assessment*", The representative of the Head of Planning Services confirmed that Condition 5 is a *Prior to development being brought into use* Condition and the applicant would not be able to utilise the development until the lighting scheme had been agreed.
- In respect of hours of use, the representative of the Head of Planning Services advised that the proposed facility would be funded partially by the Football Association who have requirements on hours of use. In reducing Monday to Friday hours, a compromise was made to have a later start and finish time of 10.00 a.m. to 6.00 p.m. on a Sunday.
- A Member asked whether Condition 12 should be more positive about the size of trees for screening. The representative of the Head of Planning Services confirmed that further advice would have to be sought from the Arboricultural Officer and agreement of the Applicant to any changes as it was a pre-commencement condition and the representative of the Assistant Chief Executive (Legal & Democratic Services) confirmed this and that any proposed changes would mean that the application should be deferred to allow agreement to be sought. The Member concerned said that he was happy to accept that the most appropriate trees will be planted.

The Chairman clarified that Members were asked to vote on the recommendation that had been proposed and seconded, subject to Condition 4 being amended to require time clocks on the lighting being turned off and Condition 5 being amended to add that the lighting system will be to the satisfaction of the County Planning Officer and will be maintained to that condition thereafter and it was:

Resolved: that the following be referred to the Chief Executive Officer for consideration under his emergency delegated powers:-

That the Committee are minded to recommend to the Chief Executive that the application be approved under his delegated decision-making powers in the Officers' Delegation Scheme in the Council's Constitution, for the reasons stated in the Report, subject to the Conditions stated in the report and also subject to Condition 4 being amended to provide

for a clock timer to turn off the lighting, and Condition 5 being amended to provide for the approved lighting levels assessment to be to the satisfaction of the County Planning Authority and to be maintained in strict accordance with the approved assessment thereafter - the wording of such conditions to be agreed by the Committee and confirmed by the Applicant.

255 Items dealt with under the Scheme of Delegation – 4 August 2021 to 14 October 2021, inclusive.

Considered –

A report by the Corporate Director, Business and Environmental Services, which listed Items dealt with under the Scheme of Delegation. The Items had been determined during the period 4th August to 14th October 2021, inclusive.

NOTED.

256 Publication by Local Authorities of Information about the handling of Planning Applications – 1st April to 30th June 2021 – Quarter 1

Considered –

A report by 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 Quarter 1 (the period 1st March to 30th June 2021).

NOTED.

257 Publication by Local Authorities of Information about the handling of Planning Applications – 1st July to 30th September 2021 – Quarter 2

Considered –

A report by 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 Quarter 2 (the period 1st July to 30th September 2021).

NOTED.

258 Any other business

There being no other business, the Chairman declared the meeting closed

The meeting concluded at 11.40 a.m.

PD