

# North Yorkshire County Council

## Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on Tuesday 15 November 2022 at 10am.

### **Present:-**

County Councillors Andy Paraskos (Chair), Eric Broadbent, Andy Brown, Bryn Griffiths, Tim Grogan, Robert Heseltine, Mike Jordan, John McCartney, Bob Packham, Roberta Swiers and David Webster.

Apologies were received from County Councillor Pat Marsh

There were 3 members of the public and a representative of the press present.

---

**Copies of all documents considered are in the Minute Book**

---

### **14. County Councillor Margaret Atkinson**

The Chair referred to the recent, sudden, unexpected death of County Councillor Margaret Atkinson, the current Chair of the Council and a Member of this Committee. He paid tribute to her and her service to the County Council, which was echoed by Members. A minutes silence was held in her memory.

### **15. Welcome and Introductions**

The Chairman welcomed everyone to the meeting.

### **16. Minutes of the meeting held on 26 July 2022**

#### **Resolved -**

That the Minutes of the meeting held on 26 July 2022 be confirmed by Members and signed by the Chairman as a correct record subject to the addition of County Councillors Bob Packham and David Webster to the list of attendees.

### **17. Declarations of Interest**

There were no declarations of interest.

### **18. Public Questions or Statements**

The representative of the Assistant Chief Executive (Legal and Democratic Services) stated that there were no general questions or statements from members of the public nor were there any questions/statements in relation to the items on the agenda.

**19. 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 18 August 2022 to 18 October 2022 inclusive.

**Resolved -**

That the report be noted.

**20. Conferment of the Title of Honorary Alderman**

The report of the Assistant Chief Executive (Legal and Democratic Services) requesting the Committee to consider whether it would wish to make a recommendation to the County Council to confer the title of Honorary Alderman on former Members of the Council.

A representative of the Assistant Chief Executive noted that, following the County Council elections in May 2022, five Members had served the County Council for 20 years or more and, therefore, were eligible to be conferred with the title of Honorary Alderman, those Members were:-

Peter Sowray OBE  
Caroline Patmore  
Val Arnold  
Helen Swiers  
Cliff Trotter

Members were also requested to consider conferring the title of Honorary Alderman to former County Councillor John Blackie, on a posthumous basis, in view of his 22 years of service to the County Council, up until his death in 2019.

It was noted that the Committee would make a recommendation to County Council of those former Members they wished to confer the title of Honorary Alderman to and that a special meeting of the Council would take place to undertake that ceremony.

**Resolved -**

That it be recommended to County Council:

- (i) that Peter Sowray OBE, Caroline Patmore, Val Arnold, Helen Swiers and Cliff Trotter be conferred with the title of Honorary Aldermen;
- (ii) that former County Councillor John Blackie be conferred with the title of Honorary Alderman, posthumously.

**21. C1/19/00587/CM - Planning application for the part retrospective proposed retention of quarry access until 31st December 2025 on land at Pallett Hill Quarry, Leeming Lane North, Catterick Village**

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a Planning application for the part retrospective proposed retention of quarry access until 31st December 2025 on land at Pallett Hill Quarry, Leeming Lane North, Catterick Village

The application was subject to an objection having been raised by a local resident in respect of this proposal on the grounds of noise from quarrying and dirt on highway from vehicle movements and was, therefore, reported to the Committee for determination.

A representative of the Chief Planner 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 report 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 asked why this issue had not been addressed when the application to extend the life of the quarry had been considered recently. In response it was stated that it had been the intention to take both applications to the same meeting but further amendments had been required in terms of this application resulting in it coming to a later meeting.
- It was asked whether keeping the surrounding area and roads clean had been scheduled into the requirements for the applicant, going forward. In response it was stated that conditions attached to the application required wheel washing and the secure sheeting of materials for vehicles leaving the site. A Member noted that on many sites vehicles were still leaving when the wheel was had broken, resulting in dirty roads. It was emphasised that when complaints were received in respect of dirty roads in the area, inspections would be undertaken and enforcement action could be taken. Members considered that action should be pro-active rather than reactive. In response it was stated that regular site meetings were undertaken and advice could be given in terms of potential issues.
- A Member raised concern that this matter has required to be considered by the Committee in view of a single objection, and Members were keen to ensure that the Scheme of Delegation for the new Unitary Council eliminated these concerns.

**Resolved: -**

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined.

22. **C5/2021/23435/NYCC - Planning application for the demolition of existing prefabricated building units and corridors (339.7 sq. metres), construction of a single storey classroom building (973.7 sq. metres) with wall mounted perimeter lighting, erection of glazed and timber canopies (130.8sq. metres), sprinkler tank plant building and compound (68.4 sq. metres), extended car park area with 4 metre high lighting columns, new playground, running track and footpaths (1,464.11sq. metres), 2 metres high fencing and gates, tree removal and hard and soft landscaping works on land at Greatwood Community Primary School, Pinhaw Road, Skipton.**

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the demolition of existing prefabricated building units and corridors (339.7 sq. metres), construction of a single storey classroom building (973.7 sq. metres) with wall mounted perimeter lighting, erection of glazed and timber canopies (130.8sq. metres), sprinkler tank plant building and compound (68.4 sq. metres), extended car park area with 4 metre high lighting columns, new playground, running track and footpaths (1,464.11sq. metres), 2 metres high fencing and gates, tree removal and hard and soft landscaping works on land at Greatwood Community Primary School, Pinhaw Road, Skipton

The application was subject to an objection from Sport England having been raised in respect of this proposal on the grounds of the loss of playing field and was, therefore, reported to the Committee for determination.

The application was subject to consultation with the Secretary of State in accordance with the Town & Country Planning (Consultation) England) Direction 2021 (the purpose of which being for the Secretary of State to consider using the power to call in the application under section 77 of the Town & Country Planning Act 1990) and was, therefore, for Members to provide an indicative decision on the application.

A representative of the Chief Planner 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 report also provided a conclusion and recommendations

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

He provided full details of the Sport England objection which continued to be maintained.

By way of an update he explained that the school site was now an Academy, which would usually see the application determined at District Council, however, on this occasion NYCC and CYPs were supporting the application, which was why the matter had been brought to this Committee for determination.

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

- A Member referred to the replacement of trees set out in the application, and welcomed the 3:1 ratio. He suggested that the trees replacing those removed should be semi-mature to ensure that these could be fully developed within a

suitable period. He also considered it important that appropriate species of trees for the site were chosen to promote bio-diversity. In response it was stated that Condition 5, as detailed in the report, covered the issues raised, highlighting the type and suitability of the replacement trees.

- A Member considered that the application did not comply with paragraph 99 of the NPPF in terms of providing replacement facilities, and expected the matter to come under closer scrutiny when submitted to the Secretary of State. In response it was stated that the issue had not been taken lightly but there had been a substantial need for a new classroom and the provision had been determined against paragraph 99. It was noted that the application provided much more available soft play facilities than previously, which were age appropriate for the children affected. Overall, therefore, it was considered that the benefits of the application outweighed the disadvantages.
- It was considered by a Member that the Authority was relying on extending existing schools, rather than building much needed new schools, where housing development was taking place. He considered that this application was not promoting healthy lifestyles for children by removing playing field space. In response it was stated that the allocated sites for new schools remained as designated, however, currently, there was insufficient new pupils for these to be built. A Member considered that as the housing development taking place necessitated the need for the school to be extended, he could not understand why the identified new school sites were not being developed. In response it was reiterated that the minimum criteria for pupil numbers had not been met to develop the new schools but the sites remain earmarked for the new schools should the appropriate criteria be met.
- A Member raised concerns that the matter was being dealt with by NYCC despite the school being an Academy. He wondered who was paying for the application and the proposed development. He also could not understand why the application had no recommendation for Section 106 infrastructure funding from the developer. The Chair reminded Members that the source of funding for an application or development was not a material planning consideration. In response to the issues raised it was noted that the school had applied for the development when still under the Local Authority's control and it had been decided that the application should be considered by NYCC consequently. Other Members also questioned why developer contribution had not been sought but it was stated that this matter was with the District Council, therefore NYCC Officers were unable to comment.
- It was clarified that the occupancy of the school would be doubled to 420 following the development. The proposal was for 2 classroom units to be demolished and replaced with a 4 classroom development.
- A Member suggested that the Sport England objection appeared strange when the majority of schools in the area had no playing field space, and, despite the reduction the playing field space available was still higher than the majority of schools in the area. He noted that facilities for field sports were available nearby.
- A Member highlighted the need to consider the advice of the local Member on such issues, and emphasised the need to ensure that this opportunity remained in the structure for Planning Committees, going forward into the unitary authority. He considered that there was a clear need for the expansion of the school. He emphasised the need to ensure that developer contribution was obtained whenever possible. The Member considered that access to sporting facilities was important to the health and wellbeing of children and raised concern that the nearby facilities referred to would need to be accessed by car, rather than them being available at the school. He considered that the proposed development was not the best design, particularly as there appeared to be a

lack of assessment of biodiversity and sustainability issues. He considered that much more effort and thought could have been given to sustainability in terms of raw materials, energy sources, etc and suggested that developer contribution could have assisted this. He asked that greater emphasis be given to sustainability across the various Local Plans, going forward.

- It was emphasised that, overall, the application would benefit the children at the school.
- Members requested that Condition 5 within the list of conditions be altered to require semi-mature trees to be used in the replanting scheme.

**Resolved: -**

That Members are minded to grant planning permission for the reasons stated in the report, subject to consultation with the Secretary of State in accordance with the Town & Country Planning (Consultation) England) Direction 2021 (the purpose being for the Secretary of State to consider using the power to call in the application under section 77 of the Town & Country Planning Act 1990) and subject to an addition to Condition 5, requiring semi-mature trees to be utilised in the re-planting scheme, in accordance with the conditions outlined.

**23. Publication by Local Authorities of Information about the handling of Planning Applications – 1 April to 30 June 2022 – 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 1 April to 30 June 2022).

**Resolved –**

That the report be noted.

**24. Publication by Local Authorities of Information about the handling of Planning Applications – 1 July to 30 September 2022 – 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 1 (the period 1 July to 30 September 2022).

**Resolved –**

That the report be noted.

The meeting concluded at 11.05 pm

SL