

# North Yorkshire County Council

## Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Microsoft Teams on 13 April 2021 at 10.00 am.

### Present:-

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

Apologies were submitted by County Councillors David Hugill and Robert Heseltine.

One Member of the public was in attendance.

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](http://www.northyorks.gov.uk/livemeetings)

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

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### 202 Welcome and Introductions

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

### 203. Minutes of the meeting held on 30 March 2021

#### Resolved -

That the Minutes of the meeting held on 30 March 2021, 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.

### 204. Declarations of Interest

There were no declarations of interest.

### 205. 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 applications below, there were no questions or statements from members of the public.

**206. C8/2020/1036/CPO - Planning application for the erection of timber shelter (20.25 sq. metres) and hardstanding (24 sq.metres) to create recreational space on land at Longmans Hill CP School, Myrtle Avenue, Selby**

Considered -

The report of the Corporate Director, Business and Environmental Services requesting Members to determine a planning application for the erection of timber shelter (20.25 sq. metres) and hardstanding (24 sq.metres) to create recreational space on land at Longmans Hill CP School, Myrtle Avenue, Selby.

The application was subject to an objection having been raised in respect of this proposal on the grounds of proposed location having effects on residential amenity and was, therefore, reported to this Committee for determination.

Jan Elcock (Headteacher) of Longmans Hill CP School provided the following statement directly to the Committee:-

Thank you for the opportunity to present a case on behalf of Longman's Hill School, Selby.

Our application is to add a 3 sided, open-fronted wooden structure to an already existing paved hardstanding. The wooden structure will be built on top of the low 3 sided wall (which is already in existence on the hardstanding) to create a covered shelter. This is located directly adjacent to our current playground and its back wall, which would be closest to the school boundary fence, will be 7.35m from the boundary. The total height when complete will be just 2.8m. We do not believe this will have any negative impact on neighbouring properties or gardens due to the low height, and overall distance from our boundary.

The shelter will be used as a break out space/ mindfulness area for all of our pupils to access. The location has been chosen because it is next to the playground, allowing pupils to access this freely at breaks/ lunch times whilst still under the supervision of staff monitoring the main playground area. Additionally, it is close to an area of trees on the premises, providing a unique opportunity for children to immerse themselves in the bird life whilst using the shelter.

The mindfulness shelter will be a much used resource at our school. We are supporting increasing numbers of children with mental health issues and the school closures and lockdowns this year have only magnified this issue. Promoting wellbeing and positive mental health is at the core of what we offer as a school. Ofsted are clear that schools must provide a broad and balanced curriculum and that developing children's 'character' should be a core feature of what a school offers. We believe that by offering children opportunities to learn to self-regulate and manage their feelings, we can meet this agenda.

The children have contributed to the design of this shelter and are excited about the project. We have had to complete numerous fundraising initiatives in order to be able to fund this project. The impact of this space will be significant; it will provide a quiet space for children to sit and reflect and just have some time to themselves out of very busy school days.

We hope that this planning application will be given appropriate consideration and we thank you for your time.

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 report also provided a conclusion and recommendations.

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:-

- Clarification was provided in relation to the location and footprint of the proposed shelter and its proximity to the nearest residential properties.
- Members noted that the location of the proposed shelter was already utilised as a playground for the school, therefore, the noise from the children playing was likely to be lessened by the shelter having side walls and a roof.
- It was noted that the shelter would not be visible from the front entrance of the school.
- Members were satisfied that the issues raised in objection to the application in relation to noise were fully addressed in the report.
- Members considered that the provision of the shelter would be a useful attribute to the school with it being available for outdoor lessons, and emphasised that it would only be utilised during school hours.
- It was clarified by the Head teacher that there had been no noise complaints submitted to the school from the nearby properties.
- It was considered inevitable that children would generate noise when in the playground, but the school was an intrinsic part of the local community, and the application would enhance the facilities and be of benefit to the school.

#### **Resolved –**

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

#### **207. Application for the issue of a general safety certificate under the Safety of Sports Grounds Act 1975 in respect of the designated ground at the Harrogate Town Football Club, Wetherby Road, Harrogate.**

Considered -

The report of the Corporate Director, Business and Environmental Services requesting Members to determine an application for the issue of a general safety certificate under the Safety of Sports Grounds Act 1975 in respect of the designated ground at the Harrogate Town Football Club, Wetherby Road, Harrogate.

The Divisional Trading Standards Officer presented the Committee report setting out the Regulation of Sports Grounds, the requirements of the Regulations and the County Council's role in relation to the issuing of issuing general safety certificates.

A description of the ground, details of inspections carried out in respect of the application, information in relation to the applicant, consultations that had taken place as a result of the application, the requirement for advertising following the issuing of a general safety certificate and the content of the certificate, were all outlined in the report and detailed in appendices to the report.

Members undertook a discussion of the application and the following issues and points

were highlighted during that discussion:-

- A Member asked how the issue of Match Day Stewards not been in attendance when they were required would be addressed. In response it was stated that the Stewards were provided through a contract with the Club, and more could be deployed on request. Should there be an issue in relation to accessing the ground, the kick-off could be delayed until sufficient Stewards arrived. There was also an opportunity to redeploy Stewards from less essential parts of the ground.
- In respect of the issue highlighted in the report regarding debris accumulating under the stand, it was stated that the issue was monitored continuously, including during match days, with issues reported back. It was emphasised took this issue very seriously in terms of fire safety, and made every effort to keep the area clear of debris.
- It was clarified that the ultimate responsibility for the safety of the ground lay with the Chairman and Board, despite the identification of the Safety Officer within the documentation.
- A Member asked why a COVID attendance plan was not included within the report. In response it was stated that this was in place as a separate document and had been developed through all the appropriate bodies and organisations, alongside the FGSA. The plan had been used earlier in the season when fans had been allowed into the ground. It was stated that the document could be provided to Members on request.
- A Member asked how this upgrade placed the club in comparison to other teams. In response it was stated that the Club had developed from a relatively small local team to the Football League, with the ground developed to match that achievement. The safety certificates were necessary in line with that expansion and enhancement. The development of the team was good for North Yorkshire.
- It was clarified that the maximum capacity for the ground was 5001.
- A Member asked whether contingency plans were in place for the team playing a club that would attract an attendance beyond the capacity. In response it was stated that such an occasion would be carefully controlled through ticketing arrangements. It was asked whether arrangements were in place for numbers of fans arriving without tickets on such occasions. In response it was outlined that on such occasions the situation would be managed by the Safety Advisory Group and led by the Police, using surveillance and intelligence provided to ensure the event was managed appropriately. A Member suggested that such an event was likely to be staged at a neutral venue, but other Members considered that would not be the case.
- In response to a Member it was stated that the certificate was issued on an indefinite basis. Amendments could be made to it, however, under delegated powers, with those being reported back to the Committee.

#### **Resolved –**

- (i) that a general safety certificate under the Safety of Sports Grounds Act 1975 be issued to Garry Plant in respect of the Harrogate Town Football Club subject to the condition that the COVID plan be a part of the operational plan.
- (ii) that Officers review the terms of the general safety certificate at least annually and make any amendments to capacity as required under the Officers' Delegation Scheme, with any amendments reported to the Planning and Regulatory Functions Committee following the annual meeting of the multi-agency Safety Advisory Group.

**208. Publication by Local Authorities of Information about the handling of Planning Applications**

Considered -

The report of the Corporate Director - Business and Environmental Services outlining the County Council's performance in the handling of 'County Matter' and County Council development planning applications for Quarter 3, the period 01 October to 31 December 2020.

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

**Resolved -**

That the report be noted.

The meeting concluded at 11.00am

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