

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Skype on 24 September 2020 at 2.00 pm.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Eric Broadbent, Caroline Goodrick, Robert Heseltine, David Hugill, Mike Jordan, Cliff Lunn (as substitute for Chris Pearson), John McCartney, Zoe Metcalfe and Clive Pearson.

Apologies were submitted by County Councillor Chris Pearson.

The meeting was available to watch live via the County Council's website

Copies of all documents considered are in the Minute Book

150 Welcome and Introductions

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

151. Minutes of the meeting held on 8 September 2020

Resolved -

That the Minutes of the meeting held on 30 July 2020, 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.

152. Declarations of Interest

There were no declarations of interest.

153. 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 application below, there were no questions or statements from members of the public.

154. C1/19/00469/CM - Planning application for the 2.7 ha extension to Gatherley Moor Quarry for the extraction of 50,000 tonnes of block sandstone over a period of 20 years on land at Gatherley Moor Quarry, Moor Road, Gilling West

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the 2.7 ha extension to Gatherley Moor

Quarry for the extraction of 50,000 tonnes of block sandstone over a period of 20 years on land at Gatherley Moor Quarry, Moor Road, Gilling West

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

A representative of the Head of Planning services introduced the report.

Mr Barry Pittaway, had submitted a written statement, that was read out to the Committee by the Clerk, and is detailed below:-

“Myself at Harelands have created 22 offices of which 22 are occupied with 90% of them being local people with local jobs, I have created these from redundant farm buildings to a sustainable, peaceful, almost carbon neutral green rural office development, this is exactly what the planners wanted me to create when I initially put in for planning permission.

The only time I get complaints is when the quarry is working, complaints about noise from scraping buckets across the stone, drilling and blasting which can be felt through the office development, one tenant thought it was an earthquake, with dust covering cars and solar panels from time to time on a southerly wind.

When the 130kw of solar panels are covered in dust from the quarry we lose around 50% of their production, totally defeating the object of trying to create a green working environment.

I see the revised planting scheme which is slightly better but it will only be effective once the trees have grown up in 10 or so years time, at present they are only 30cm high.

The Quarry extension will create no local jobs whatsoever, all the operators come from the other quarry the stone company owns, all it is going to do is make a wealthy stone company even more wealthy and even more wealthy land owner more wealthy, and also destroy 2.7 ha of prime arable land.

If this planning is approved then it will upset my tenants of which 2 companies have already said they would consider leaving Harelands, it is highly likely to make Harelands Courtyard offices un-sustainable when companies decide to leave Harelands because of the noise and disruption from the quarry.

Is that what the council really wants to happen to Harelands? I would have no option but then to apply for change of use to residential if I was to be backed into a corner with empty offices.

Please take a look at www.harelands.co.uk to see what could potentially be made unlettable by giving planning to the quarry extension.

I look forward to hearing from you.”

The 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:-

- A member raised concerns regarding the intermittent working at the quarry and how it could be determined that the quarry had not been abandoned, which was contrary to Condition 33. In response it was stated that annual liaison meetings between the applicant and the Planning Authority were required and it would be outlined when work was to take place at these events, ensuring that the quarry was not being abandoned.
- A member asked whether a condition could be introduced that required the applicant to inform local business' and residents when they were to undertake work within the quarry as, due to the intermittent nature of the work, they were not always aware of when this was to happen. It was noted that the use of the extracted stone was required infrequently and would only be removed when a suitable contract was established. Other similar quarry operators had developed a practice of informing neighbouring properties of when they were to undertake work without this having been conditioned. It was suggested that the applicant should be informed of the good practice taking place elsewhere in relation to this matter. It was stated that regular visits to the site by Planning officers, and the conditions outlined within the report could address the issue outlined, however, if Members were so minded, an additional condition in relation to this could be considered.
- Clarification was provided as to the location of nearby properties and the location of the objector's business.
- It was stated that no material could be brought into the site to carry out the restoration plan, with existing materials having to be utilised. Details of the restoration plan were highlighted.
- A Member suggested that there should have been more focus on the issues outlined in the letter of objection read out to the Committee in the presentation, however, in response, it was emphasised that the issues highlighted were addressed in the report, the local Environmental Health Officer had raised no objections and the conditions outlined in the report provided mitigation against those matters.
- Clarification was provided in relation to the planting, provision of walls and repairs to existing boundary planting/walls, to further protect the amenity of neighbouring properties from the work expected to take place from the extended quarry works, as well as those from the existing quarry.
- Members stated that they were minded to agree the application but wished to address the issue of communication between the operator and neighbouring properties, possibly through the addition of a condition. The Committee's legal representative emphasised that any additional condition should initially be discussed with the applicant and their agent, to determine whether this was acceptable, and should also meet the usual six tests to determine whether this was appropriate. The Head of Planning Services stated that there was a potential for an alteration to be made to Condition 10, which would require the applicant to inform nearby residents and business of work that would be taking place seven days in advance of that. She emphasised, however, that an alteration to this would still require consultation with the applicant and would need to pass the six tests. Members suggested, therefore, that further consideration be given to how best to address this matter, with the decision on that being delegated to the Head of Planning Services, following consultation with the Chairman and Vice-Chairman of the Committee.

Resolved -

That the Committee are minded to grant Planning Permission for the reasons stated and subject to the conditions outlined, subject to further consideration being given to the details of Condition 10, as outlined above, with that process being delegated to the Head of Planning Services, following consultation with the Chairman and Vice-Chairman.

The meeting concluded at 2.55pm.

SL

DRAFT