

North Yorkshire Council

Scarborough and Whitby Area Planning Committee

Minutes of the meeting held on Thursday, 12 February 2026 commencing at 2.00 pm.

Councillor Phil Trumper in the Chair plus Councillors Subash Sharma, Derek Bastiman, Eric Broadbent, Janet Jefferson and Clive Pearson.

Officers present: Victoria Bell – Senior Planning Officer, Nicki Lishman - Senior Democratic Services Officer, Nick Read - Development Management Team Manager, David Walker - Development Service Manager and Laura Zielinski - Solicitor Lawyer Planning and Environment.

Apologies: Councillor Rich Maw.

Due to technical issues the start of the meeting was delayed until 2.10pm

Copies of all documents considered are in the Minute Book

144 Apologies for absence

Apologies for absence were received from Councillor Rich Maw.

145 Minutes for the meeting held on 13 November 2025

The minutes of the meeting held on 13 November 2025 were confirmed and signed by the Chair as a correct record.

146 Declarations of interests

Each Member of the Committee present declared a personal non-pecuniary interest as the applicant's wife was a fellow Councillor.

147 SCAZF25/00993/FL - application for change of use of land for the siting of a caravan/lodge to provide agricultural workers accommodation - Chelson Fields, Killerby, Scarborough

The Head of Development Management – Community Development Services sought determination of an application for planning permission for the siting of a caravan/lodge to provide agricultural workers' accommodation, including the creation of amenity/garden space and vehicle parking/turning area at Chelson Fields, Killerby, Scarborough.

The application was reported to Committee because the applicant was the spouse of a North Yorkshire Councillor.

Presenting the report, the Senior Planning Officer advised that:

- The application site fell outside the Development Limits of Cayton or any other settlement as defined in the Scarborough Local Plan, as such it is regarded as 'countryside'. The site fell within Flood Zone 1.

- The agent stated that the caravan was required for an agricultural worker and the supporting information stated that this was an existing agricultural enterprise.
- Planning permission for a caravan for a temporary period of 3 years was allowed in 2016 to allow for the agricultural enterprise to be developed and for information to be collected to demonstrate the case for a permanent dwelling.
- No evidence had been submitted with the current application to demonstrate that the agricultural enterprise existed, or if it did, that it was currently economically viable or that the proposed dwelling was linked to an existing, financially sound enterprise.
- Officers considered there was no justification for the siting of a caravan for agricultural worker or a permanent dwelling on the site based on the needs of the existing operations or the operations set out in the supporting information.
- The agent had requested that the application be deferred to allow for additional information to be submitted and stated there were errors in the report but has not specified what these errors were, or what additional information they intended to submit. However, officers were of the opinion that no additional information could be submitted that would overcome the first and second reasons for refusal and did not consider that a deferral would be warranted. Officers recommended refusal on the grounds set out in the report with the exception of the minor amendment of reason (iii).

The application was recommended for refusal on three grounds, as follows:

- i. It was not demonstrated that the proposed development was essential for farming; neither was it demonstrated that the proposed development related to the functional needs of an established rural business.
- ii. the negative Impact to visual amenity and character of the open landscape setting
- iii. No information was provided regarding the Biodiversity Net Gain baseline figure for the existing site. As such the deemed biodiversity net gain condition required by the Environment Act 2021 could not be discharged.

The agent had requested that the application be deferred to allow for additional information to be submitted and stated that there were errors in the report. The agent did not specify what information they intended to submit or what the errors were in the report.

Officers were of the opinion that no additional information could be submitted that would overcome the first and second reasons for refusal and did not consider that a deferral would be warranted in this case. Officers recommended refusal on the grounds set out in the report, subject to a minor rewording of (iii) in the reasons for refusal as follows:

- (iii) The proposed development is not considered to fall within the definition of 'Self-Build and Custom Build development' as such it is not exempted from providing biodiversity net gain required by Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). Insufficient information has been provided regarding the Biodiversity Net Gain baseline figure for the existing site. It is considered that the deemed biodiversity net gain condition or section 106 planning obligations to secure onsite biodiversity gains and registered offsite biodiversity gains cannot be discharged/complied with as the **pre-development** baseline information is incorrect and the actual figure is unknown. As a result of the lack of adequate information the proposal fails to comply with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021)

and fails to comply with Para 187 of the National Planning Policy Framework as it has not been demonstrated that the development would provide net gains for biodiversity or identify and pursue opportunities for securing measurable net gains for biodiversity. It is not considered that these matters could reasonably be addressed through the imposition of planning conditions.

During consideration of the application, the Committee discussed:

- The current use and maintenance of the site
- Whether the existing caravan had utilities and was inhabited. The officer confirmed that there were utilities but the caravan was not inhabited
- The viability of the small site to demonstrate an essential need to provide accommodation for an agricultural worker
- A permission granted in 2016 for the temporary siting of mobile home for 3 years to provide agricultural workers accommodation. The committee minutes set out that Members reasons for the overturning the officer's recommendation were: 'The land would be improved through renewed use and landscaping and the small holding would be more secure. It gave the applicant three years to build up the small holding.'

It was moved by Councillor Sharma and seconded by Councillor Bastiman that the application be refused for the reasons set out in the report, including the amendment to (iii).

Decision

That planning permission be REFUSED for the reasons detailed in the report, including the following amended reason (iii).

- (iii) The proposed development is not considered to fall within the definition of 'Self-Build and Custom Build development' as such it is not exempted from providing biodiversity net gain required by Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). Insufficient information has been provided regarding the Biodiversity Net Gain baseline figure for the existing site. It is considered that the deemed biodiversity net gain condition or section 106 planning obligations to secure onsite biodiversity gains and registered offsite biodiversity gains cannot be discharged/complied with as the pre-development baseline is unknown. As a result of the lack of adequate information the proposal fails to comply with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021) and fails to comply with Para 187 of the National Planning Policy Framework as it has not been demonstrated that the development would provide net gains for biodiversity or identify and pursue opportunities for securing measurable net gains for biodiversity. It is not considered that these matters could reasonably be addressed through the imposition of planning conditions.

Voting record

5 For

1 Against

148 Any other items

There were no items of urgent business.

Councillors discussed the fact that they no longer received the weekly list of planning

applications in their division, since the migration of the legacy Council systems into one new system.

They were reminded that they could set up notifications for applications in areas of interest via the Public Access system and officers would provide any assistance required, regarding the new method of providing this information.

149 Date of next meeting

The date of the next meeting was confirmed as Thursday, 12 March 2026.

The meeting concluded at 2.35 pm.