

North Yorkshire Council

Richmond (Yorks) Area Constituency Planning Committee

Minutes of the meeting held on Thursday, 9th November, 2023 commencing at 10.00 am.

Councillor David Webster in the Chair. plus Councillors Bryn Griffiths (as substitute for Councillor Stuart Parsons), Heather Moorhouse, Karin Sedgwick, Angus Thompson and Steve Watson.

Officers present: Bart Milburn, Planning Manager, Peter Jones, Development Manager - North, Fiona Hunter, Development Management Team Leader, Ian Nesbit, Senior Planning Officer, Frances Maxwell, Lawyer Business and Environment and Sarah Holbird, Democratic Services Officer.

Apologies: Councillor Stuart Parsons.

Copies of all documents considered are in the Minute Book

57 Apologies for Absence

Apologies noted (see above).

58 Minutes for the Meeting held on 12 October 2023

The minutes of the meeting held on Thursday, 12 October 2023 were confirmed and signed as an accurate record.

59 Declarations of Interests

Councillor Angus Thompson declared a pecuniary interest in item 4 on the agenda – application ZB23/00938/FUL (Minute 60 refers) and took no part in the debate.

Planning Applications

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the conditions as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

In considering the report(s) of the Assistant Director Planning – Community Development Services, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a

report this was because the proposal is in accordance with the development plan, the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

60 ZB23/00938/FUL - Revised application for construction of 38no. residential dwellings with associated access, parking, landscaping and infrastructure at OS Field 6504, Northallerton Business Park, Thurston Road, Northallerton for Taylor Wimpey

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for a revised application for the construction of 38no. residential dwellings with associated access, parking, landscaping and infrastructure at OS Field 6504, Thurston Road, Northallerton for Taylor Wimpey.

The applicant's agent, Richard Holland, spoke in support of the application.

During consideration of the above application, the Committee discussed the following:-

- The collaboration of all parties involved to enable everyone's needs to be met, in particular the acoustic remedial works resulting in objections being withdrawn. Confirmation was sought that the reduced bund size was appropriate with the Committee advised that Environmental Health assessments were based on the reduced size.
- The need to protect the existing operations around the site and the requirement for monitoring to ensure the development delivers what is expected.
- The Committee sought clarification on the lack of affordable housing provision on the site and were informed that following a viability assessment the affordable housing provision would not be delivered but that a number of other public benefits had been delivered.

The Decision :-

That the Committee were **MINDED TO GRANT** planning permission, subject to the conditions set out in section 12 of the report, as amended and the additional conditions shown below, with delegation to the Chief Planning Officer in relation to any conditions recommended by the LLFA and Environmental Health (Ground Contamination) in any subsequent responses.

Voting Record

A vote was taken and the motion was declared carried with 5 for and 1 abstention.

Amended Condition

Condition 11

Prior to occupation of any part of the development a scheme shall be submitted to, and approved in writing, by the Local Planning Authority detailing how Designing Out Crime principles will be implemented. The development shall be implemented in accordance with the approved scheme.

Additional Conditions

Condition 19

Prior to the first occupation of any of the residential dwellings hereby approved, the bunding

and acoustic fencing shall be completed in accordance with approved plans NTH-PH-006 Rev.B (Bund Sections Plan) and 154200/8001 Rev.A (Landscape Proposals Plan). Once completed, the bund and acoustic fencing shall be retained and maintained throughout the lifetime of the development as approved, unless otherwise agreed in writing by the Local Planning Authority. All seeding, tree and hedgerow planting on the bund structure shall be undertaken in accordance with the requirements, including timescales, as required by condition 14.

Reason: To ensure that suitable noise mitigation is implemented prior to the occupation of residential dwellings and maintained for the lifetime of the residential development, in accordance with Policy E2 of the Local Plan.

Condition 20

Prior to the commencement of the development, a noise mitigation and attenuation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the details of all noise mitigation and attenuation measures to be implemented within the development to ensure that none of the following noise criteria area exceeded for each approved residential property:

- (a) Bedrooms – 30dB LAeq, 8hr / 35dB LAeq, 16hr
- (b) Living Rooms – 35dB LAeq, 16hr
- (c) Dining Rooms – 40dB LAeq, 16hr
- (d) Individual Noise Events (no more than 10 times a night – 45dB LMax
- (e) External Amenity Areas – 50dB LAeq, 16hr

The noise mitigation and attenuation measures within the approved noise mitigation and attenuation scheme shall be implemented prior to occupation of any of the dwellings hereby approved and shall be maintained as approved thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise, in accordance with Policy E2 of the Local Plan.

Condition 21

Within two months of the first occupation of the 38th dwelling, a validation test shall be carried out in relation to a representative sample approved properties during daytime and night-time hours and the results of the testing and the details of any additional noise mitigation and attenuation measures required to meet the specified noise criteria within condition 20 above submitted to the Local Planning Authority for approve in writing. Any additional noise mitigation and attenuation measures approved in writing shall be fully implemented in accordance with the approved details within two months of the written approval being issued by the Local Planning Authority.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise, in accordance with Policy E2 of the Local Plan.

61 CONSIDERATION OF THIS APPLICATION WILL NOT TAKE PLACE AT THIS MEETING - ITEM TO BE RESUBMITTED TO A FUTURE MEETING - ZB23/01079/REM - Reserved matters application under outline permission 22/02555/OUT for the erection of 88 dwelling houses (C3) with siting, landscaping, design and external appearance for

consideration at Old Hatchery, Blind Lane, Aiskew for Colin Bennett (Keepmoat Homes)

The report was withdrawn prior to the meeting to enable further consultation to take place and will be resubmitted to a future meeting.

62 22/00047/OUT - Outline Application for Demolition of the Vacant Dalesway Lodge Motel and Restaurant, and the Construction of a Petrol Filling Station (sui generis) with Associated Kiosk/Shop (Use Class E) and Two Drive-Through Restaurants (sui generis), together with Construction of a New Vehicular Access, Car Parking, Electric Vehicle Charging Facilities and Other Works at Eastside Barracks Bank Scotch Corner Richmond for Scotch Corner Richmond LLP

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for the outline application for demolition of the vacant Dalesway Lodge Motel and Restaurant, and the Construction of a petrol filling station (sui generis) with associated kiosk/shop (Use Class E) and two drive-through restaurants (sui generis), together with construction of a new vehicular access, car parking, electric vehicle charging facilities and other works at Eastside Barracks Bank Scotch Corner Richmond for Scotch Corner Richmond LLP.

Steve Hill spoke on behalf of a number of Middleton Tyas residents objecting to the application.

During consideration of the above application, the Committee discussed the following:-

- The traffic issues encountered at Scotch Corner roundabout and the implications of further development at the location.
- The current condition of the brownfield site and how the proposed development will tie in with the area.
- The Parish Council being supportive of the application due to its location on the western side of the roundabout.
- The proposed pedestrian crossing and its impact on the traffic. The Committee were advised that Highways England were satisfied with the proposals.
- The bus stop provision and lack of bus shelters, with the Committee requesting Officers to seek the provision of bus shelters at the stops on both the north and south side of the highway.

The Decision :-

That the Committee were **MINDED TO GRANT** planning permission, subject to the conditions set out in section 12 of the report and the additional condition shown below, with delegation to the Planning Manager (Richmond Office) in consultation with the Chair and Vice-Chair in relation to seeking the provision of bus shelters on both the north and south side of the highway.

Voting Record

A vote was taken and the motion was declared carried unanimously.

Additional Condition

Condition 18: Biodiversity Net Gain

Prior to commencement of development a Biodiversity Net Gain Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate

how a net gain life of 10% can be achieved for all habitat types including hedgerows. The scheme shall include:

- (a) Evidence that suitable Biodiversity Credits have been secured and paid for; or
- (b) An on and/or off-site scheme together with any necessary permissions to deliver the scheme including:
 - Phasing and timetable for delivery
 - 30 years upkeep and monitoring
 - Mechanism for 30 years of funding

The development shall take place in complete accordance with the approved details including the 30 years retention, upkeep and monitoring.

Reason: To secure a biodiversity net gain in accordance with the National Planning Policy Framework paragraph 174.

63 Any other items

There were no urgent items of business.

64 Date of Next Meeting

10.00am, Thursday, 14 December 2023 (venue to be confirmed, either Civic Centre, Stone Cross, Rotary Way, Northallerton or Mercury House, Station Road, Richmond).

The meeting concluded at 11.15 am.