

North Yorkshire Council

Richmond (Yorks) Area Constituency Planning Committee

Minutes of the meeting held on Thursday, 14th December, 2023 commencing at 10.14 am at Civic Centre, Stone Cross, Rotary Way, Northallerton.

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

Officers present: Trevor Watson - Assistant Director Planning, Bart Milburn - Planning Manager, Ian Nesbit - Senior Planning Officer, Kelly Dawson - Senior Lawyer Business and Environment and Sarah Holbird – Democratic Services Officer.

Apologies: Councillors Stuart Parsons, Karin Sedgwick and Angus Thompson.

Copies of all documents considered are in the Minute Book

70 Apologies for Absence

Apologies noted (see above).

71 Declarations of Interests

There were no declarations of interest.

Note: The Chair adjourned the meeting at 10.16am to allow the Committee to read the additional documentation that had been circulated prior to the meeting and reconvened at 10.20am.

72 Minutes for the Meetings held on 9 and 17 November 2023

The minutes of the meetings held on Thursday, 9 and Friday, 17 November 2023 were confirmed and signed as accurate records.

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 condition 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 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.

73 22/01334/OUT - Application for outline planning permission with some matters reserved (appearance, landscaping, layout and scale) for the construction of 35 dwellings including conversion of existing barn and 4 self-build plots together with associated Highway Works, New Open Space, Play Area and Public Car Parking and Demolition of a dwelling (As Amended) at School Farm, 17 Station Road, Great Ayton for Mr and Mrs Ward

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for outline planning permission with some matters reserved (appearance, landscaping, layout and scale) for the construction of 35 dwellings including conversion of existing barn and 4 self-build plots together with associated Highway Works, New Open Space, Play Area and Public Car Parking and Demolition of a dwelling (As Amended) at School Farm, 17 Station Road, Great Ayton for Mr and Mrs Ward

Geoff Tilling spoke objecting to the application.

Ron Kirk spoke on behalf of Great Ayton Parish Council objecting to the application.

The applicant/applicant's agent, Jonathan Saddington, spoke in support of the application.

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

- The impact of the development on the traffic within the village due to the lack of parking resulting in on-street parking which reduces the width of the roads.
- The access to the development.
- The heritage impact associated with the views from the nearby public footpath and Captain Cooks monument.
- The reduced size of the site and its proportionality within such a large village.
- The proposed planting scheme.

The Decision :-

- (a) That the Committee were **MINDED TO GRANT** outline planning permission subject to receiving a positive recommendation from Natural England, and subject to the conditions as set out in section 12 of the report as amended, and the additional conditions shown below, with delegated authority given to Officers to approve the outline planning permission and impose any planning condition(s) recommended by Natural England.

Outline permission is subject to the completion of a Section 106 agreement with terms as detailed in Table 2 of the report and including the requirements to secure biodiversity net gain and the future maintenance of the associated created habitats.

- (b) That the reserved matters application be determined by the Richmond (Yorks) Area Constituency Planning Committee.

Voting Record

A vote was taken with 3 for and 3 against. The Chair gave their casting vote in favour and the motion was declared carried.

Amended Conditions

Condition 9

The requirements for Biodiversity Net Gain and future maintenance of habitats and biodiversity enhancements can be more appropriately secured through a Section 106 agreement, therefore Condition 9 within Section 12 of the Officer report is removed with its requirements instead included within the requirements of any future Section 106 agreement.

Additional Conditions

Condition 23: Detailed Plans of Road and Footway Layout

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structure which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

Condition 24: Construction of Adoptable Roads and Footways

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

Condition 25: Details of Access, Turning and Parking

There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular, cycle, and pedestrian accesses;
- vehicular and cycle parking;
- vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;

- loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

Condition 26: Delivery of Off-Site Highway Works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Improvement works to the site access and adjacent carriageway/footway/lining works as indicated on drawing 2201901 Rev A

For each scheme of off-site highway mitigation, except for investigate works, no excavation or other groundworks of the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119-Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason: To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

Condition 27: No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;
2. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. The parking of contractors' site operatives and visitor's vehicles;
4. Areas for storage of plant and materials used in constructing the development clear of the highway;
5. Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;

6. Details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
7. Protection of carriageway and footway users at all times during demolition and construction;
8. Protection of contractors working adjacent to the highway;
9. Details of site working hours;
10. Erection and maintenance of hoardings including decorative displays, securing fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
11. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
12. Measures to control and monitor construction noise;
13. An undertaking that there must be no burning of materials on site at any time during construction;
14. Details of external lighting equipment;
15. Details of ditches to be piped during the construction phases if any;
16. A detailed method statement and programme for the building works; and
17. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

Condition 28: The development shall not commence until a Design Code has been submitted to and approved in writing by the Local Planning Authority in respect of the approved self-build/custom build plots. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code. The subsequent reserved matter application(s) shall accord with details of the approved Design Code, and be accompanied by a statement which demonstrates compliance with the Code.

Reason: To ensure high quality design and coordinated development in relation to the approved self-build/custom build plots in accordance with Policies HG2 and E1 of the Local Plan.

Condition 29: The existing stone wall sited on the boundary between the application site and the property of The Joinery to the north shall be retained in situ insofar as the visibility and other-related recommendations within the submitted Stage 1 Road Safety Audit can be achieved. Details of any changes to the wall, including alterations to its height, length and positioning, shall not be undertaken within the changes being submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the impact on the character and appearance of the Conservation Area and on neighbour amenities are mitigated as much as possible in accordance with policies S7, E1, E2 and E5 of the Local Plan and the NPPF.

74 Any other items

There were no urgent items of business.

75 Date of Next Meeting

10.00 am, Thursday, 11 January 2024 (venue to be confirmed, either Civic Centre, Stone Cross, Rotary Way, Northallerton or Mercury House, Station Road, Richmond).

The meeting concluded at 11.35 am.