

North Yorkshire Council

Thirsk and Malton Area Planning Committee

Minutes of the meeting held on Thursday, 24 October, 2024 commencing at 10.00 am.

Councillor Caroline Goodrick in the Chair and Councillors Joy Andrews, Alyson Baker, Lindsay Burr MBE, Nigel Knapton and Malcolm Taylor.

Officers Present: Kelly Dawson, Connor Harrison, Nicki Lishman, Aisling O'Driscoll and Ann Rawlinson.

Apologies: Councillor Sam Cross

Copies of all documents considered are in the Minute Book

130 Apologies for absence

Apologies for absence were received from Councillor Sam Cross.

131 Minutes for the meeting held on 19 September 2024

The minutes of the meeting held on 19 September 2024 were agreed and signed by the Chair as a correct record.

Voting record

Agreed by general affirmation.

132 Declarations of interests

Councillor Caroline Goodrick declared a personal but non-prejudicial interest in Item 6 as she was a member of the Howardian Hills National Landscape Joint Advisory Committee.

Councillor Nigel Knapton declared a personal but non-prejudicial interest in Item 4 and Item 5 as he was clerk to the relevant Parish Council.

133 ZB24/01340/FUL Construction of 8 dwellings and garages, formation of new access and associated works land west of Owlwood House, West Lane, Stillington, North Yorkshire

The Assistant Director Planning – Community Development sought determination of an application for full planning permission for the construction of 8 dwellings and garages, the formation of a new access and ancillary works at land west of Owlwood House, West Lane, Stillington, North Yorkshire

The application was requested to be determined by the Area Planning Committee following a referral by Cllr Taylor, due to the proposal conflicting with the Hambleton Local Plan and the public interest in the proposed scheme.

Presenting the report, officers drew Members' attention to the information issued with the updates list, namely:

- the two side (east-facing) windows on the first floor of unit 1, one serving a landing, and the other serving a bedroom. It was recommended that a condition requiring the obscure glazing of the bedroom window was imposed on any grant of planning permission to safeguard neighbouring privacy whilst ensuring amenity within the bedroom.
- the consultation response from the Highway Authority, which did not advise that a footway or the alteration of the speed limit zone would be necessary to grant planning permission. Any changes to the speed limit would require consultation and the cost of additional signage at a cost of approximately £3,000. In addition, the provision of a footway connected to the existing footways would be at a significant cost.
- details of the calculation of commuted sums.

Mr Geoff Sykes and Ms Helen Armstrong spoke to object to the application.

Mr Jon Saddington, agent on behalf of the applicant, spoke in support of the application.

Discussion of the item included consideration of the following matters:

- The relevance and application of several policies from the Hambleton Local Plan
- The proximity to and effect on the amenity of the neighbouring property caused by the gable end windows on the first floor of unit 1.
- Concerns over access to and from the site for pedestrians due to the lack of a footway on the north side of High Street. In addition, access to and from the site was within a 60mph speed limit zone and Members were concerned with safety.
- Protection of the large tree within the site.

Councillor Taylor proposed and Councillor Knapton seconded that the application be deferred.

Decision

That the consideration of planning permission be DEFERRED to allow further work to address overlooking, road safety and highways issues.

Voting record

Unanimous

134 ZB24/01032/FUL Proposed change of use of existing tourism accommodation to dwellinghouse at Oakleigh Cottage, Oakleigh, Alne Station, York, YO61 1TS

The Assistant Director Planning – Community Development sought determination of an application for full planning permission for the change of use of existing tourist accommodation to form a dwellinghouse.

This application was requested to be determined by the Area Planning Committee following a referral by Cllr Knapton, to allow the committee to consider the proposal against the requirements of Policy S5 of the Hambleton Local Plan.

Presenting the report, officers drew Members' attention to:

- The relevant policies of the Hambleton Local Plan.
- The marketing of the property over recent years.
- The similar applications at the site that had been submitted and refused.

Mr Andrew Cunningham, agent, spoke in support of the application.

During consideration of the item Councillors debated:

- The conflict between the provision of housing and of holiday accommodation across the area, with reference to recent applications for holiday accommodation in open countryside.
- The marketing of the property, which has failed to improve the use of the property as holiday accommodation.

Councillors considered that although the development was in conflict with policy S5 of the Hambleton Local Plan, the material consideration of lack of viability of a holiday use outweighed the conflict with the Development Plan.

Councillor Knapton proposed and Councillor Burr seconded that Members were minded to approve and delegate the authority to the Development Management Team Manager to determine with appropriate conditions imposed.

Decision

That the Committee be minded to approve the application subject to conditions and to delegate the authority to determine the application and apply appropriate conditions to the Development Management Team Manager.

Voting record

5 For

1 Against

135 ZB23/02394/OUT Outline application for the erection of 20 no. dwellings (with all matters reserved except access, landscaping and layout) [Use Class C3] including demolition of existing barn and associated infrastructure land to the south of Prospect Cottages, Husthwaite, North Yorkshire

The Assistant Director Planning – Community Development sought determination of an outline planning application for 20 dwellings on land to the south of Prospect Cottages, Husthwaite.

The application was considered appropriate to be determined by the Planning Committee due to the proposal raising significant planning issues, the level of interest in the proposal and the complex planning matters involved, as considered by the Director of Community Development,

Presenting the report officers drew Members' attention to:

- A minor amendment to the reasons for refusal as shown in the updates list.
- The location of the visitors' car park as shown on the site plan which would require alteration.
- The officers' view that the proposal would result in the loss of open space, contrary to the Hambleton Local Plan policy HG5 and less than substantial harm to the

significance of the Husthwaite conservation area which was not outweighed by the public benefits.

Mr Cameron Smith spoke to object to the application.

The Democratic Services Officer read a statement on behalf of the Parish Council.

Mr Hugh Roberts, on behalf of the applicant, spoke in support of the application.

During consideration of the application, Members' discussed:

- The expired permission on the site - the site was allocated for housing development in the previous Local Development Framework, which had been replaced following the adoption of the current Hambleton Local Plan which was adopted in 2022.
- The ambitions of the Parish Council with regard to the provision of housing.
- The impact on the conservation area and proximity to the National Landscape.

Councillor Baker proposed and Councillor Andrews seconded that the application be refused.

Decision

That the planning application be REFUSED due to

- i. The loss of open space that was important to the historic linear form and layout of the village. In addition, the development would have had a detrimental impact on the rural character of the village and resulted in the loss of countryside that made a significant contribution to the character and setting of the village. The proposal was therefore contrary to criteria d. and e. of the Hambleton Local Plan Policy HG5.
- ii. The erosion of the close relationship between the settlement and the open arable and pastoral fields and the relationship between the settlement and the wider rural landscape which contributed greatly to the significance of the Husthwaite Conservation Area. This impact was considered to result in less than substantial harm to the significance of the Husthwaite Conservation Area. This harm was not considered to be outweighed by public benefits and the proposal was therefore contrary to Paragraph 208 of the National Planning Policy Framework and Policy E5 of the Hambleton Local Plan.

Voting record

5 For

1 Against

136 Updates list October 2024

137 Any other items

There were no items of important business.

138 Date of next meeting

The date of the next meeting was confirmed at 10.00am on Thursday, 21 November 2024.

