

# North Yorkshire Council

## Richmond (Yorks) Area Constituency Planning Committee

Minutes of the meeting held on Friday, 17th November, 2023 commencing at 9.30 am at Civic Centre, Stone Cross, Rotary Way, Northallerton.

Councillor David Webster in the Chair, plus Councillors Heather Moorhouse, Karin Sedgwick, Angus Thompson and Steve Watson.

Officers present: Peter Jones, Development Manager - North, Ian Nesbit, Senior Planning Officer and Kelly Dawson, Senior Lawyer Business and Environment and Sarah Holbird, Democratic Services Officer.

Apologies: Councillors David Hugill and Stuart Parsons.

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### Copies of all documents considered are in the Minute Book

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#### 65 Apologies for Absence

Apologies noted (see above).

#### 66 Declarations of Interests

Councillor David Webster declared that he had been lobbied in respect of item 3 on the agenda in that he had received a phone call from the Parish Council Chair.

#### 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.

**67 ZB23/01079/REM - Reserved matters application under outline permission 22/02555/OUT for the erection of 87 dwelling houses (C3) with siting, Landscaping, Design and External Appearance at Old Hatchery, Blind Lane Aiskew on behalf of Mr Colin Bennett (Keepmoat homes)**

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for reserved matters under outline permission 22/02555/OUT for the erection of 87 dwelling houses (C3) with siting, landscaping, design and external appearance at Old Hatchery, Blind Lane Aiskew on behalf of Mr Colin Bennett (Keepmoat homes)

Ian Prescott, spoke on behalf of the applicant, in support of the application.

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

- The viability of the site and how the applicant was looking to increase the number of affordable units to address the issue, rather than seek a reduction.
- The location of nearby public open space and play areas due to the application site only providing a small facility. The Committee were advised that to the north of site was an extensive area of open space with a public play area that could be easily accessed from the application site.

The Decision :-

That the reserved matters approval be **GRANTED** subject to the conditions set out in section 12 of the report, as amended and the additional conditions shown below and the proposed Deed of Variation to amend the agreed Section 106 agreement.

Voting Record

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

Amended Condition

**Condition 6: Carbon Savings**

Prior to the commencement of any works above the level of the damp proof course for any the buildings hereby approved, a carbon savings and renewable energy scheme shall be submitted demonstrating how all practical and viable measures to provide carbon savings; renewable energy and make prudent and efficient use of natural resources will be implemented. The scheme shall include, but not be limited to, details of the precise details and number of PV panels to be installed on the roof slopes of dwellings in general accordance with the PV Zone areas identified on the approved house type plans for each approved dwelling type. The scheme shall include details of electric vehicle charging. Once approved, the development shall be undertaken in accordance with the approved scheme.

Reason: To reduce the carbon impact of the development and to comply with policy.

Additional Conditions

**Condition 8: Submission of a Construction Management Strategy**

No development shall commence above the level of the damp proof course for any the buildings hereby approved until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall provide details of cranes and other tall construction equipment (including the details of

obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

#### Condition 9: Bird Hazard Management Plan

No development above the level of the damp proof course for any the buildings hereby approved shall take place until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence (MOD). The Bird Hazard Management Plan should contain, but not be limited to:

- a) An assessment of the various bird species found in the vicinity of the site, to include species data and numbers;
- b) Details of measures designed to prevent the development forming an environment attractive to those large and/or flocking bird species hazardous to aviation safety;
- c) Details of layout of the solar panels, and roof proofing measures designed to prevent access to feral pigeons and any other identified problematic species; and
- d) Confirmation of drain to dry times for the attenuation basin and details of the maintenance programme through which those drain to dry times will be maintained.

The development shall be carried out and managed strictly in accordance with the details agreed and there shall be no variation without the express written consent of the Local Planning Authority in consultation with MOD.

Reason: To limit potential of the site to attract and support populations of those bird species that may cause detriment to aviation safety.

The first occupation of any of the dwellinghouses approved by this planning permission shall not take place until the approved planting and biodiversity enhancements have been completed in full, and their completion confirmed in writing by the Local Planning Authority.

#### Condition 10: Off-Site Landscaping Condition

Prior to the completion of the approved off-site planting biodiversity enhancement works, a scheme for its continued management and maintenance shall be submitted to and agreed in writing by the Local Planning Authority. The off-site planting and enhancement works shall be managed and maintained in accordance with the approved scheme, including any timetable included for management and maintenance works.

The completed planting and biodiversity enhancement works shall be retained, managed and maintained in accordance with the approved details for a minimum period of 30 years from the date of its completion. The reason for the works to be completed prior to first occupation of the dwellings is to ensure that the off-site planting and biodiversity enhancements are secured before the first occupation of the associated residential development.

Reason: To ensure that the off-site planting and biodiversity enhancements are undertaken and completed in accordance with the approved plan, in accordance with Policies E3 and E7 of the Local Plan.

#### Condition 11: On-site Landscaping Scheme – Implementation

The approved elements of the landscaping scheme that are situated within the curtilage of the approved dwellings shall be implemented within the first planting season following the first occupation of that dwelling.

Reason: To ensure that the approved planting is undertaken and completed in accordance with the approved plan, in accordance with Policies E3 and E7 of the Local Plan.

**Condition 12: Landscaping and Ecological Enhancements – Implementation**

The approved planting and biodiversity enhancement located outside of the curtilages of the approved dwellings shall be fully implemented within the first planting and seeding seasons following the first occupation of any of the approved dwellinghouses, and the implementation confirmed in writing by the Local Planning Authority.

Reason: To ensure that the landscaping and biodiversity enhancements are undertaken and completed in accordance with the approved plans and within an appropriate timescale, in accordance with Policies E3 and E7 of the Local Plan.

**68 Any other items**

There were no urgent items of business.

**69 Date of Next Meeting**

10.00 am, 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 10.00 am.