



**TITLE OF CONSULTATION:** PLANNING APPLICATION DECISIONS

**OFFICER REQUESTING:** GARY HOUSDEN. HEAD OF PLANNING AND REGULATORY SERVICES

## **1.0 PURPOSE**

1.1 To determine eleven planning applications following the consultation meeting of the members of the Planning Committee held on the 7 July 2020.

## **2.0 RECOMMENDATIONS**

2.1 It is recommended that the following applications are determined as follows:

- (i) Item 1. 19/00236/MOUT Agricultural Contractors, Welham Road, Norton – this Item was **WITHDRAWN** from the agenda.
- (ii) Item 2. 19/01180/MFUL – Land adjacent to Auburn Cottages, Langton Road, Norton. **APPROVE** – subject to the completion of a variation to a Section 106 agreement and conditions.
- (iii) Item 3. 20/00/230/MFUL – Field off Hungerhill Lane, Wombledon. **DEFERRED** – until breaches of planning control on the site are addressed.
- (iv) Item 4. 20/00350/MFUL- Land to the south of Cherry Farm Close, Malton- **APPROVE** – subject to conditions and the detailed requirements of the Local Lead Flood Authority.
- (v) Item 5. 20/00374/MFUL – New Cliff House, Cross Lane, Sinnington. **APPROVE** – subject to conditions
- (vi) Item 6. 20/00037/HOUSE – 3 Southlea, Rillington. **APPROVE** – subject to conditions
- (vii) Item 7.20/00043/FUL – Railway Tavern, 2 Wold Street, Norton. **APPROVE** – subject to conditions
- (viii) Item 8. 20/00167/FUL – Middlecave Yard, Middlecave Road, Malton. **DEFERRED FOR A SITE VISIT** – to consider the site in context and in light of objections and concerns raised.
- (ix) Item 9 20/00360/ADV – 5 Welham Road, Norton. **APPROVE** – subject to conditions and amendments to condition 7 to include specified time periods.
- (x) Item 10. 20/00386/FUL – Land south of Middlecave Road, Malton. **REFUSE**

- (xi) Item 11.20/00395/73A – The Limes, 33 Undercliffe, Pickering. **APPROVE** – subject to conditions.
- (xii) Item 12. 20/00420/FUL – Land Rear of Goodlands, Main Street, Terrington – **APPROVE**, subject to conditions.

### 3.0 REASON FOR RECOMMENDATIONS

- 3.1 The process for determining those planning applications (which would otherwise be determined by the planning committee) under Urgency Powers has been agreed.
- 3.2 In order to inform the determination of applications, a consultation meeting of the members of Planning Committee was held at 6.00pm on 7 July 2020. Eleven applications were considered by the members of Planning Committee during the virtual meeting. The members that participated in the meeting were as follows:
- Councillor P Andrews  
Councillor Burr (Sub)  
Councillor Cleary  
Councillor Frank (Sub)  
Councillor Goodrick (Chair)  
Councillor Graham  
Councillor Mackenzie  
Councillor Mason  
Councillor Potter  
Councillor Windress (Vice Chair)
- 3.3 In advance of the consultation meeting, hard copies of officer reports covering each item, site photographs and update papers were distributed to every councillor attending the meeting. All applicants and third parties were also informed of the decision making process under urgency powers in advance of the virtual meeting and were asked to submit any further representations before 11.00 am on the 7 July 2020.
- 3.4 Further written representations were received in relation to the following items
- Item 2. A written statement/ speech from the applicant. Further representations from Yorkshire Housing and one third party/ neighbour
  - Item 3. Written Statements/speeches from Wombledon Parish Council; Objector and the Applicant. Further representations from third party objectors.
  - Item 6. Written Statement/ speech from Objector
  - Item 10. Written statement/speech from Objector and Applicant/Agent
  - Item 12. Written statements of x2 Objectors and Applicant
- 3.5 The Officer reports, site photographs and the further written representations of applicants and third parties are on the application files.
- 3.6 At the start of the meeting the Chair confirmed the purpose of the meeting, meeting etiquette and her intention that the meeting would be conducted in a way that would closely mirror the consideration of applications at formal meetings of the planning committee. For each application this included: a short presentation by officers; written statements from applicants and third parties to be read out in full (in lieu of public speaking); questions to officers; debate, followed by a vote for each item.
- 3.7 The outcome of the consultation meeting, which is to be followed by the Chief Executive in determining the applications is as follows:

	Item 2	Item 3	Item 4	Item 5
Officer Recommendation	<b>Approval</b> subject to variation of the Section 106 agreement and conditions.	Conditional <b>Approval</b>	Conditional <b>Approval</b>	Conditional <b>Approval</b>
Moved	<b>Approval</b> Cllr Goodrick	<b>Deferral</b> Cllr Cleary	<b>Approval</b> Cllr Cleary	Approval Cllr Burr
Seconded	Cllr Frank	Cllr Andrews	Cllr Mason	Cllr Cleary
Vote				
Cllr Andrews	Refuse/Against	Defer	Approve/For	Approve/For
Cllr Burr	Declared Interest	Defer	Approve/For	Approve/For
Cllr Cleary	Approve/For	Defer	Approve/For	Approve/For
Cllr Frank	Approve/For	Defer	Approve/For	Approve/For
Cllr Goodrick	Approve/For	Defer	Approve/For	Approve/For
Cllr Graham	Not present	Defer	Approve/For	Approve/For
Cllr Mackenzie	Approve/For	Defer	Approve/For	Approve/For
Cllr Mason	Approve/For	Defer	Approve/For	Approve/For
Cllr Potter	Abstain	Defer	Approve/For	Approve/For
Cllr Windress	Approve/For	Abstain	Approve/For	Approve/For
	<b>6 For ( Approval) 1 Against 1 Abstention</b>	<b>9 For (deferral) 1 Abstention</b>	<b>10For (Approval) Unanimous</b>	<b>10For (Approval) Unanimous</b>

	Item 6	Item 7	Item 8	Item 9
Officer Recommendation	Conditional <b>Approval</b>	Conditional <b>Approval</b>	Conditional <b>Approval</b>	Conditional <b>Approval</b>
Moved	<b>Approval</b> Cllr Burr	<b>Approval</b> Cllr Mackenzie	<b>Site Visit</b> Cllr Andrews	<b>Approval</b> Cllr Mackenzie
Seconded	Cllr Frank	Cllr Cleary	Cllr Burr	Cllr Burr
Vote				
Cllr Andrews	Approve/For	Refuse/Against	For	Refuse/Against
Cllr Burr	Approve/For	Abstain	For	Approve/For
Cllr Cleary	Refuse/Against	Approve/For	For	Approve/For
Cllr Frank	Approve/For	Approve/For	Against	Abstain
Cllr Goodrick	Approve/For	Approve/For	Against	Approve/For
Cllr Graham	Refuse/Against	Approve/For	For	Approve/For
Cllr Mackenzie	Approve/For	Approve/For	For	Approve/For
Cllr Mason	Abstain	Abstain	Declared Interest	Abstain
Cllr Potter	Approve/For	Approve/For	Against	Approve/For
Cllr Windress	Approve/For	Approve/For	Abstain	Not present
	<b>7 For ( Approval) 2 Against 1 Abstention</b>	<b>7 For ( Approval) 1 Against 2 Abstentions</b>	<b>5 For (Site Visit) 3 Against 1 Abstention</b>	<b>6 For ( Approval) 1 Against 2 Abstentions</b>

	<b>Item 10</b>	<b>Item 11</b>	<b>Item 12</b>
Officer Recommendation	<b>Refusal</b>	Conditional <b>Approval</b>	Conditional <b>Approval</b>
Moved	<b>Refusal</b> Cllr Andrews	<b>Approval</b> Cllr Goodrick	<b>Approval</b> Cllr Frank
Seconded	Cllr Burr	Cllr Cleary	Cllr Potter
Vote			
Cllr Andrews	Refuse/For	Not present	Not present
Cllr Burr	Refuse/For	Not present	Not present
Cllr Cleary	Refuse/For	Approve/For	Abstain
Cllr Frank	Approve/Against	Approve/For	Approve/For
Cllr Goodrick	Refuse/For	Approve/For	Abstain
Cllr Graham	Refuse/For	Approve/For	Abstain
Cllr Mackenzie	Refuse/For	Approve/For	Abstain
Cllr Mason	Refuse/For	Approve/For	Approve/For
Cllr Potter	Refuse/For	Declared Interest	Approve/For
Cllr Windress	Not present	Not present	Not present
	<b>8 For ( Refusal) 1 Against</b>	<b>6 For ( Approval) Unanimous</b>	<b>3 For ( Approval) 4 Abstentions</b>

#### **4.0 SIGNIFICANT RISKS**

- 4.1 The recommendations are made taking into account planning decision making principles, including the policies of the development plan and material planning considerations. The Council's agreed process under urgency powers has been followed. In terms of Item 3 – there is a real risk of a non- determination appeal if the applicant is not agreeable to resolve the matters as Members would wish.

#### **5.0 IMPLICATIONS**

- 5.1 The following implications have been identified:
- a) Financial  
Not applicable
  - b) Legal  
The Council's agreed process under urgency powers has been followed
  - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)  
There are no other specific implications associated with the recommendations.

Supporting documents to planning applications are available on the Council's [planning portal](#). Please note that any documents not currently accessible online due to the covid-19 public health emergency will be made available as soon as possible.

Relevant documents for the applications considered in this decision notice are as follows:

Item 1: N/A

Item 2: Officer report, application supporting material, consultation responses, applicant's statement

Item 3: Officer report, application supporting material, consultation responses, Statements from the applicant, Parish Council and objector

Item 4: Officer report, application supporting material, consultation responses

Item 5: Officer report, application supporting material, consultation responses

Item 6: Officer report, application supporting material, consultation responses, statement from objector

Item 7: Officer report, application supporting material, consultation responses

Item 8: Officer report, application supporting material, consultation responses

Item 9: Officer report, application supporting material, consultation responses

Item 10: Officer report, application supporting material, consultation responses, statement from objector and applicant

Item 11: Officer report, application supporting material, consultation responses

Item 12: Officer report, application supporting material, consultation responses, statements of objectors and applicant

<https://planningregister.ryedale.gov.uk/caonline-applications/simpleSearchResults.do?action=firstPage>

## 6.0 MONITORING OFFICER ADVICE

Consultation has been undertaken with the Planning Committee Chair and its members, as agreed under the approved process for dealing with planning applications under urgency powers, which would normally have gone to Committee. Consultation is now required with the Leader.

## 7.0 CONSULTATION RECORD

According to the Constitution, under urgency powers, decisions usually taken by the Council and its committees are taken by the CEO following consultation with the appropriate elected members.

The appropriate elected members are:

- The Leader of the Council
- The Chair of the appropriate committee, for matters relating to that specific committee<sup>1</sup>
- Relevant Ward member(s), if any, for matters of particular relevance to that ward<sup>2</sup>

Name of consultee	Cllr Duncan – Leader of Council
This is agreed as the decisions reflect the outcome of the consultation planning meeting.	
Date consultation completed	10-07-20

## 8.0 DECISION

Decision of the Acting CEO (Phillip Spurr) based on consultation	The recommendations are agreed.
Date	10-07-20

<sup>1</sup> “Chairman of the appropriate Committee” refers to committee specific matters and does not mean that all Committee Chairs will be consulted on everything

<sup>2</sup> “Relevant Ward Member(s), if any” refers to ward specific matters and does not mean that all Members will be consulted on everything