

North Yorkshire Council

Richmond (Yorks) Area Constituency Planning Committee

Minutes of the meeting held on Thursday 11th April 2024 commencing at 10.00 am at Mercury House, Richmond.

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

Officers present:-

Bart Milburn, Head of Development Management, Peter Jones - Development Manager (North), Fiona Hunter, Development Management Team Leader, Ian Nesbit, Senior Planning Officer, Frances Maxwell, Solicitor (Business and Environmental Services), Stephen Loach, Principal Democratic Services Officer

Apologies: Councillors Karin Sedgewick.

Twelve Members of the public and one representative of the press were present.

Copies of all documents considered are in the Minute Book

99 Apologies for Absence

Apologies noted (see above).

100 Minutes for the Meeting held on 14th March 2024

The minutes of the meeting held on Thursday, 14th March 2024 were confirmed and signed as an accurate record.

101 Declarations of Interests

Councillor Angus Thompson declared a pecuniary interest in respect the application for Full Planning Permission for the Construction of 92no Residential Dwellings with Associated Access, Landscaping and Associated Infrastructure on Land North of Caxton Close, Brompton On Swale.

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 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.

102 ZB23/01932/FUL - Application for change of use from existing public house to dwelling at the Horseshoe Inn, West Rounton, DL6 2LL

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for planning permission for change of use from existing public house to dwelling at the Horseshoe Inn, West Rounton, DL6 2LL for Mr S. Taylor. The application was brought to the Planning Committee due to the level of local interest in the application.

Mary Weastell of Rountons Community Interest Group spoke objecting to the application.

David Richards of Rountons Parish Council spoke objecting to the application.

Divisional Councillor Annabel Wilkinson spoke objecting to the application.

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

- Proposals from the local community to develop the public house as a community hub
- The registration of the property as a property of community value
- The benefits of community facilities.

The Decision :-

That planning permission is **REFUSED** for the reasons set out below:

1. The proposal would result in the loss of a community facility and would therefore fail the requirements of Local Plan policy IC4 and Policy S3.

2. The proposal would result in less than substantial harm to the Grade II listed building through the proposed loss of the public house. No public benefit can be identified and as such the proposed development would fail the requirements of Local Plan Policy E5 and section 16 of the NPPF.

Voting Record

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

103 ZB23/01933/LBC – Application for Listed Building consent for Ground Floor alterations at the Horseshoe Inn, West Rounton, DL6 2LL

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application ref. ZB23/01933/LBC Listed Building consent for Ground Floor alterations at Horseshoe Inn, West Rounton, DL6 2LL for Mr S. Taylor.

It was noted that the report to Committee contained the wrong date (14th April 2024), therefore, the decision of the Committee would need to be a “minded to” decision, allowing the decision to be delegated to the Assistant Director of Planning Services to issue the planning permission within a suitable timeframe in accordance with the date of the report.

Mary Weastell of Rountons Community Interest Group spoke objecting to the application.

David Richards of Rountons Parish Council spoke objecting to the application.

Divisional Councillor Annabel Wilkinson spoke objecting to the application.

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

- Concerns that the approval of the application would remove items that clearly defined the Grade II Listed Building as a public house.
- Heritage matters that had resulted in the registration of the property as a property of community value
- Issues around re-instating the property should the local community succeed in defining this as a community facility.

The Decision :-

That the Planning Committee is **MINDED TO REFUSE** planning permission with delegated authority given to the Assistant Director of Planning Services to implement the decision, in line with the details highlighted above, on the grounds that the proposal would result in less than substantial harm to the Grade II listed building through the proposed alterations to the ground floor of the building, with no public benefit able to be identified and as such the proposed development would fail the requirements of Local Plan Policy E5 and section 16 of the NPPF.

Voting Record

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

104 ZB23/01649/FUL - Construction of four detached bungalows at land to West of Smithy Green, Hornby Road, Appleton Wiske for Clarion Homes Ltd

The Assistant Director Planning – Community Development Services sought determination of a planning application for planning permission for the construction of four detached bungalows at land to West of Smithy Green, Hornby Road, Appleton Wiske for Mr S. Taylor. This application was brought to the Planning Committee at the request of the Divisional Member.

Derek Partington – Vice-Chair, Appleton Wiske Parish Council spoke objecting to the application.

Divisional Councillor Annabel Wilkinson spoke objecting to the application.

Steve Hesmondhalgh - AMS Chartered Town Planners and Development Consultants and agent for the applicant spoke in support of the application.

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

- Concerns regarding the access road for the development being located in Flood Zone 2 and there being a need for a flood evacuation plan.
- The potential visual impact on the area, specifically on the Grade II listed St Mary's Church
- The possibility of further development being considered at that location should this be granted.

The Decision :-

That the Planning Committee **DEFER THE APPLICATION** for consideration at a subsequent meeting of the Committee to allow the response of the Lead Local Flood Authority to be considered and to assess the depth of water likely to be found on the access in a worse case scenario; together with an alternative access through the route of the PROW to be investigated to the access road proposed for the development.

Voting Record

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

105 ZD23/00683/FULL - Full Planning Permission for Ground floor side extension to provide a larger dining / kitchen, plus the amendment of the vehicular parking to the front of the property at 13 Moorside Road, Richmond

The Assistant Director Planning – Community Development Services sought determination of a planning application for full planning permission for Ground floor side extension to provide a larger dining / kitchen, plus the amendment of the vehicular parking to the front of the property at 13 Moorside Road, Richmond. The applicant is a senior officer (Corporate Director/Assistant Director/Head of Service or equivalent) of the Council and has a pecuniary interest in the outcome of a planning application and, as specified under Section 9, para 9.3 (vi) of the Constitution, this application was therefore brought to planning committee for determination.

The Decision :-

That planning permission be **GRANTED** subject to the conditions listed in paragraph 12 of the report.

Voting Record

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

106 21/00797/FULL - Full Planning Permission for the Construction of 92no Residential Dwellings with Associated Access, Landscaping and Associated Infrastructure - Land North of Caxton Close, Brompton On Swale

The Assistant Director Planning – Community Development Services sought determination of a planning application for full planning permission for the construction of 92no residential dwellings with associated access, landscaping and associated infrastructure on land North of Caxton Close, Brompton on Swale. This application was referred to planning committee by Officers due to raising significant material planning considerations in relation to the scale and location of development.

It was noted that the report to Committee contained an error in the site layout plan, therefore, the decision of the Committee would need to be a “minded to” decision, allowing the decision to be delegated to the Assistant Director of Planning Services to issue the planning permission within a suitable site layout plan, appropriate to all involved, in place.

Alice Hall of Persimmon Homes spoke in support of the application.

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

- The proximity of the designated play area and kick-about area to existing properties.
- The provision of 40% affordable housing within the development
- Concern that the term kick-about area had unfortunate connotations that would be detrimental to use of the community area outlined

The Decision :-

That the Planning Committee is **MINDED TO GRANT** the application subject to the consultation period for the amended location plan having expired with no new material representations having been raised, subject to a S106 agreement, subject to the conditions as listed in the Committee Report and as updated below and subject to the replacement of the term “kick-about area” with “community open space” within the relevant conditions, with the implementation of the decision delegated to the Assistant Director of Planning Services

Voting Record

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

Updated Conditions

Condition 2 Approved Plans

Replace (b) with: “Location Plan, BOS-PH2-000 dated 07.04.22”

Condition 5 Drainage Management & Maintenance

Replace Text with:

No development shall take place until a drainage management and maintenance scheme has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include:

- a watercourse/ ditch management and maintenance plan for its entire length within the application site.
- drawings showing any surface water assets to be vested with the statutory

undertaker/highway authority and subsequently maintained at their expense; and/or
- any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

The approved drainage management and maintenance scheme shall be adhered to in perpetuity.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system.

Condition 7 Finished Floor Levels

Replace with:

Levels and south-eastern boundary

Treatment prior to commencement of any development whatsoever existing and proposed site levels, external and finished floor levels and a south boundary treatment scheme for the site boundary to the south of the Kickabout Area as detailed on approved plan Planning Layout – ref. BOS-PH2-001, rev. P shall be submitted to and approved in writing to the Local Planning Authority. These shall include a single north-south section through the eastern half of the site through the Kickabout Area as detailed on approved plan Planning Layout – ref. BOS-PH2-001, rev. P.

There afterwards, the development will take place in complete accordance with approved levels. The approved boundary treatment shall be installed prior to commencement of plots 57 to 61 or the pumping station and thereafter retained in perpetuity.

Reason: To ensure that neighbours do not experience an unacceptable sense of enclosure or overlooking together with reducing the visual and landscape impact of the development.

Condition 11 Open Spaces

Word substitution: replace “solid path” with “crushed stone path”.

Condition 13 Contamination

Replace Text with:

Prior to commencement of development a contamination remediation and verification strategy shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include a timetable for the implementation and completion of the approved remediation measures. Prior to first occupation a verification report shall be submitted to and approved in writing with the Local Planning Authority unless another time is first agreed in writing with the Local Planning Authority within the remediate strategy.

The contamination remediation and verification strategy shall include a scheme to deal with:

1. During the ground investigations work, Boreholes TP12 and TP 16 encountered made ground. Pit TP12 revealed a previously used animal pit which must be suitably treated ahead of starting work on site.

2. Within 400m south of the proposed development perimeter are three areas of decommissioned landfill sites, capped and closed by 2005, with some gas control measures currently in place. As gases can migrate over time appropriate precautionary

measures are required to minimise the risk to future occupants of the development with Amber 1 protection.

Reason: To deal with contamination on site for the future health of residents and the environment.

107 Any other Urgent business

There were no urgent items of business.

108 Date of Next Meeting

10.00 am, Thursday, 9 May 2024 (venue to be confirmed, either Stonecross, Northallerton or Mercury House, Station Road, Richmond)