

North Yorkshire Council

Richmond (Yorks) Area Constituency Planning Committee

Minutes of the meeting held on Thursday 12th September 2024 commencing at 10.00 am at County Hall, Northallerton.

Councillors David Webster (Chair), Bryn Griffiths (as substitute for Kevin Foster), David Hugill, Heather Moorhouse, Karin Sedgewick, Angus Thompson and Steve Watson.

Officers present:-

Peter Jones, Ian Nesbitt, Nyasha Mapanga, Caroline Walton and John Worthington- Planning Services; Kate Lavelle – Legal Services; Stephen Loach - Democratic Services

Members of the public

Copies of all documents considered are in the Minute Book

130 Apologies for Absence

Apologies for absence were received from Councillor Kevin Foster

131 Minutes for the Meeting held on 8th August 2024

The minutes of the meeting held on Thursday, 8th August 2024 were confirmed and signed as an accurate record.

132 Declarations of Interests

There were no declarations of interest.

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 reports or an amendment made by the Committee, the conditions as set out in the reports 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 reports of the Assistant Director Planning – Community Development Services, regard had been paid to the policies of the relevant development plans, the National Planning Policy Framework and all other material planning considerations.

Where the Committee granted planning permission in accordance with the recommendations within the report this was because the proposal was 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.

133 ZB23/02459/REM - Application for approval of reserved matters with access, appearance, landscaping, layout and scale to be considered relating to planning application 15/01083/HYB and associated with Phase 1 of the Neighbourhood Centre comprising foodstore and retail unit (Class E(a)) (formerly Class A1), restaurant and coffee shop with drive thru lanes (Class E(b)) (formerly Class A3) and associated car parking (additional application documents submitted, including: Noise Impact Assessment on 23.05.2024 and Odour Impact Assessment on 11.06.2024)

Considered :-

The Assistant Director Planning – Community Development Services sought determination of an application for approval of reserved matters with access, appearance, landscaping, layout and scale to be considered relating to planning application 15/01083/HYB and associated with Phase 1 of the Neighbourhood Centre comprising foodstore and retail unit (Class E(a)) (formerly Class A1), restaurant and coffee shop with drive thru lanes (Class E(b)) (formerly Class A3) and associated car parking (additional application documents submitted, including: Noise Impact Assessment on 23.05.2024 and Odour Impact Assessment on 11.06.2024)

The application was brought to the Planning Committee due to the significant level of local interest (i.e. representations submitted) in relation to the application.

Updates to the report were circulated and published prior to the meeting and related to an amendment to Condition 11 and an additional condition to secure the approved plans and documents.

It was also stated that, as Conditions 3 and 10 replicated each other, Condition 10 should be removed from the list of conditions.

Fiona Millington spoke in opposition to the application.

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

- The land had been designated for development from the start and concerns relating to neighbour impact were being addressed through conditions.
- A large number of residential properties had been built in that area and required local facilities.
- The impact on local properties, including the schools, would be minimal.
- The use of solar panels on some of the proposed development was clarified.
- An impact assessment of the development on Northallerton town centre had indicated that there was an insufficient detrimental impact to warrant a refusal with additional expected nearby development further lowering that impact .
- Assessments had not found a sequentially preferable site.
- Despite initial an initial indication of smaller, independent shop units on the site there had been no developer come forward to undertake this. The application before the Committee was the only proposal submitted.

- It was requested that advertising for the various developments be kept within the curtilage of the application site.

Resolved -

That planning permission be **GRANTED** subject to the conditions detailed in the report, together with the updated and additional conditions, as detailed in the update list.

Voting Record

A vote was taken and the motion was carried unanimously.

134 22/00227/OUT - Hybrid application for Full Planning Permission for a Drive Thru' Coffee Shop, 4 No. commercial units and associated access road, car parking, Drive Thru' lane, service areas, landscaping and associated works and Outline Planning Permission for a Place of Worship and residential development at land between Woodland Avenue and Maple Avenue, Colburn, DL9 4WD

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a hybrid application for Full Planning Permission for a Drive Thru' Coffee Shop, 4 No. commercial units and associated access road, car parking, Drive Thru' lane, service areas, landscaping and associated works and Outline Planning Permission for a Place of Worship and residential development at land between Woodland Avenue and Maple Avenue, Colburn.

The site had been the subject of several Planning applications since the original Outline Permission was granted in 2010, all of which were considered by the previous Planning Committee as part of the former Richmondshire District Council. Whilst a development of this scale now falls within the Scheme of Delegation as set out within the Council's Constitution, the application was brought before Members for reasons of consistency and because it proposed what would be a relatively significant development within this part of the settlement of Colburn.

Councillor Angie Dale, Colburn Parish Council, spoke in opposition to the application.

Divisional Councillor, Councillor Kevin Foster, submitted a statement opposing the application.

David Eeles, owner of the site, spoke in support of the application.

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

- There was a need to address the issue of the operation of the traffic lights at that location, as observed at the site visit, to ensure these became sequential rather than the current arrangement.
- Members raised concerns regarding potential highway impact, however, in response it was stated that the Highways Authority considered the potential impacts to be slight. Members also emphasised that the proposed development was not required to find a solution for any existing highways issues
- Issues relating to the diversion of the bridleway were discussed and it was emphasised that this would be required to be undertaken at the developer's

expense for the development to take place and that the developer would not be entitled to obstruct the bridleway in the meantime..

- The number of properties proposed within the proposals was below the threshold for the provision of a percentage of affordable housing.

Resolved -

That planning permission be **GRANTED** subject to the conditions detailed in the report.

Voting Record

A vote was taken and the motion was carried unanimously.

135 ZD24/00093/FULL - Full Planning Permission for conversion of existing agricultural building to form 1 No residential dwelling, including change of use of adjacent land to form residential curtilage. Retrospective Permission for siting of Mobile Home on site for the purpose of providing temporary accommodation.

Considered :-

The Assistant Director Planning – Community Development Services sought determination of Full Planning Permission for the conversion of an existing agricultural building to form 1 No residential dwelling, including change of use of adjacent land to form residential curtilage. Retrospective Permission for siting of Mobile Home on site for the purpose of providing temporary accommodation.

The application fell outside the current Scheme of Delegation, as it had been referred to the Planning Committee by the Divisional Member and this had been accepted.

In an update to the report it was stated that an amendment had been made to Condition 14 that would require the on-site Mobile Home to be removed two years from the granting of Planning Permission for the conversion of the agricultural building.

Keith Farrar, Thornton Steward Parish Council, spoke against the application.

Maria Ferguson, the agent for the applicant, spoke in support of the application.

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

- It was noted that the Mobile Home had already been on site for four years and it was asked whether the condition could be altered further to have this removed sooner. It was suggested that Condition 14 be further amended to require the Mobile Home be removed from the site within one year from the granting of Planning Permission.

Resolved -

That planning permission be **GRANTED** subject to the conditions detailed in the report, together with an amended Condition 14 requiring the Mobile Home to be removed from the site within one year from the granting of Planning Permission.

Voting Record

A vote was taken and the motion was carried unanimously.

136 Any other Urgent business

There were no urgent items of business.

137 Date of Next Meeting

10.00 am, Thursday, 10 October 2024 (venue to be confirmed).