

North Yorkshire Council

Richmond (Yorks) Area Planning Committee

Minutes of the meeting held on Thursday, 10th October, 2024 commencing at 10.00 am at Mercury House, Richmond.

Councillor David Webster in the Chair. plus Councillors Kevin Foster, David Hugill, Tom Jones (substitute for Angus Thompson), Heather Moorhouse, Karin Sedgwick and Steve Watson.

Officers present: Peter Jones, Development Management Team Manager, Fiona Hunter, Development Management Team Manager, Jonathan Smith, Senior Planning Officer, Ian Nesbit, Principal Planning Officer, Frances Maxwell, Solicitor, Vicky Davies and David Smith, Democratic Services Officers.

Apologies: Councillor Angus Thompson (substitute Councillor Tom Jones).

Copies of all documents considered are in the Minute Book

138 Apologies for Absence

Apologies for absence were received from Councillor Angus Thompson (substitute Councillor Tom Jones).

139 Minutes for the Meeting held on 12 September 2024

The Minutes of the meeting held on Thursday 12th September 2024 having been printed and circulated, be taken as read and confirmed and signed by the Chair as an accurate record.

140 Declarations of Interests

There were no declarations of interests.

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 proposals 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.

141 21/02719/FUL - Revised details received (March 2023 and April 2024) for reduction in number of proposed dwellings to:- 50 houses, comprising of 15 no. affordable dwellings; 35 no. market houses (including 4 no. self build plots) with open space, highway access and drainage infrastructure and the Provision of Adjacent Land for Community Orchard, Woodland and Wildlife Habitats at Paddocks End, Hutton Rudby - OS Field 2913, OS Field 3700, OS Field 2800 Garbutts Lane, Hutton Rudby, North Yorkshire

Considered –

The Assistant Director Planning – Community Development Services sought determination of a revised application for full planning permission for a residential development of 50 dwellings with associated open space, highway access and drainage infrastructure on agricultural land located to the south of Garbetts Lane, Hutton Rudby. The application was brought to Committee because of the level of local interest.

The original application was for a 79 unit scheme spread across two separate parcels of land. Following discussions with officers, the application had been amended and a re-consultation undertaken, to include only the land south of Garbutts Lane reducing the number of proposed units to 50.

In an update to the report, it was stated that July's Ministerial statement and revised NPPF consultation would not result in a reconsideration of the assessment and conclusions as set out within the report. Members were further informed that the Neighbourhood Plan was still in development and did not attach any material weight to the application. The report also covered an Archaeological Geophysical Survey that had been submitted by the landowner, additional representations by local residents and amendments to the recommendations in the report.

It was also stated that condition 12 and 13 replicated each other and condition 13 should be removed from the list of conditions. In addition, that condition 11 is amended to change the maximum surface water discharge rate to 14 litres per second.

The following persons spoke in accordance with the Council's public participation scheme:

Derek Simpson, spoke against the application.

Allan Mortimer, Rudby Parish Council, spoke against the application.

Ronnie Baird, the agent for the applicant, spoke in support of the application.

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

- The large number of objections from residents.
- Building on greenfield sites.
- The proposed community land should be protected by a S.106 from further development, although this did not prevent other applications coming forward, however land could be protected further by the new Local Plan.
- The community land was a benefit.

Resolved -

That the Committee are minded to GRANT planning permission subject to written confirmation from Natural England that the proposals is nutrient neutral, written confirmation for the LLFA with no objections, and no material planning representations having been raised following the 10 day reconsult, and also subject to the conditions detailed in the report, together with the updated and additional conditions as detailed in the update list and the prior completion of the S.106 Agreement delegated to the Head of Development Control.

Voting Record

A vote was taken, there were six votes for the motion and one abstention, the motion was declared carried.

142 20/00007/FULL - Full planning permission for proposed demolition, extension and refurbishment of existing care home to form 36 bed care home with the erection of two storey care home with associated access and car parking - Morris Grange Nursing Home, Middleton Tyas.

Considered –

The Assistant Director Planning – Community Development Services sought determination of full planning permission for the proposed demolition, extension and refurbishment of an existing care home to form a 36 bed care home with the erection of a two storey care home with associated access and car parking at Morris Grange Nursing Home, Middleton Tyas, Richmond.

This application had been brought to Committee due to the significant material planning considerations in respect to new care dwellings in the countryside. The application was also requested to be referred to Committee by the Division Member.

Updates to the report were circulated and published prior to the meeting. Comments from the Local Lead Flood Authority (LLFA) were awaited and although the Parish Council had concerns in respect to flooding and drainage it was noted that the majority of the development was on previously developed land. Changes to conditions 5 and 15 regarding surface water were recommended along with an additional condition about foul water.

The case officer verbally updated Members, recommending that the S.106 be updated to include the requirement for passing places on the shared access track.

The following persons spoke in accordance with the Council's public participation scheme:

John Gentry, Moulton Parish Meeting spoke against the application.

Councillor Angus Thompson, Division Member, submitted a statement which was read out by the Democratic Services Officer.

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

- The existing care home didn't meet current standards.
- Economic benefit as jobs will be created.
- The decreased number of beds reduced the impact on the area.
- Some loss of trees, though the main important ones were being retained.
- Concern over the café increasing the number of visitors - access should be restricted.

- Concern that the development could turn into a retirement village.
- Inadequate access road which was also used by neighbouring residential properties.
- Issues relating to the works carried out to date without planning permission.

Resolved –

That the Committee are minded to GRANT planning permission subject to the LLFA advising they have no objection (subject to or not subject to condition(s) and no new material representations having been raised, and subject to prior completion of a S106 agreement and conditions as listed in the committee report and update list together with the following additional requirements listed below, delegated to the Head of Development Management:

- S106 Heads of Term for passing places.
- S106 Head of Term requiring residential properties to have free access via Scurrah Lane in perpetuity.
- Condition limiting cafes uses to the residents, residents' visitors, staff and external contractors engaged to undertake work on site.

Voting Record

A vote was taken, there were six votes for the motion and one abstention, the motion was declared carried.

143 ZD24/00126/AORM - Reserved matters application following outline approval of planning permission 21/00397/OUT for elevations, plans, materials, landscaping, massing at Fairfield, Moor Lane, Newsham.

Considered -

The Assistant Director Planning – Community Development Services sought determination of an application for approval of reserved matters for the appearance, landscaping, layout and scale for the erection of one detached dwelling house at land to the north of Hill Top and east of Moor Lane. The application had been brought to Planning Committee at the accepted request of the Division Councillor for reasons stated in the submitted report.

The following persons spoke in accordance with the Council's public participation scheme:

- Monica Woroniuk spoke objecting to the application.
- Louise Taylor from Newsham Parish Council spoke against the application.
- Councillor Angus Thompson, Division Member, submitted a statement which was read out by the Democratic Services Officer.
- Maria Ferguson spoke on behalf of the applicant.

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

- The type of boundary wall.
- Access and adequacy of the turning circle.
- Retention and protecting of existing trees.
- Stipulation of working hours for the construction of the development.

Resolved –

That Approval of Reserved Matters be GRANTED subject to conditions as set out in the report, and the additional conditions below with final wording delegated to the Head of Development Management in consultation with the Chair and Vice-Chair:

- Construction Hours limited to 8am to 6pm Monday to Friday, excluding bank holidays. Saturdays 8am to 12 noon and no time on Sundays or Bank Holidays.
- Window colour and design to be submitted and approved.
- Construction Management Plan to be submitted and approved.
- A dry stone wall to be provided around the plot boundary, exact details to be agreed.
- External Lighting to be submitted and approved.

Voting Record

A vote was taken and the motion was carried unanimously.

144 Such other business as, in the opinion of the Chair should be, by reason of special circumstances, considered as a matter of urgency.

There were no urgent items of business.

145 Date of Next Meeting

Thursday 14th November 2024 at 10am at a venue to be confirmed.

The meeting concluded at 12.36pm