

North Yorkshire Council

Thirsk and Malton Area Planning Committee

Minutes of the meeting held on Thursday, 19 December 2024 commencing at 10.00 am.

Councillor Caroline Goodrick in the Chair and Councillors Alyson Baker, Lindsay Burr MBE, Sam Cross, Nigel Knapton, Malcolm Taylor and Steve Mason.

Officers present: Craig Allison, Alpha Love-Koh, Nicki Lishman, Peter Jones, Development Manager - North and David Walker.

Apologies: Councillor Joy Andrews

Copies of all documents considered are in the Minute Book

139 Apologies for absence

Apologies for absence were received from Councillor Joy Andrews, Councillor Steve Mason substituted.

140 Minutes for the meeting held on 24 October 2024

The minutes of the meeting held on 24 October 2024 were agreed and signed by the Chair as a correct record.

Voting record

Agreed by general affirmation.
Councillor Mason abstained.

141 Declarations of interests

For transparency Councillors Baker, Burr, Cross, Goodrick, Knapton and Taylor each stated that they had been lobbied regarding Item 7.

142 ZB24/01340/FUL - Construction of 8 dwellings and garages, formation of new access and associated works land west of Owlwood House, West Lane, Stillington

The Head of Development Management – Community Development Services sought determination of an application for full planning permission for the construction of 8 dwellings and garages, the formation of a new access and ancillary works at land west of Owlwood House, West Lane, Stillington, North Yorkshire

The application was to be determined by the Area Planning Committee following a referral by Cllr Taylor due to the proposal conflicting with the Hambleton Local Plan and public interest in the proposed scheme.

The application was deferred at the meeting held on 24 October 2024 to allow officers to

clarify with the agent matters of highway safety, neighbour amenity and protection of an oak tree to the northwest corner of the site that were raised by members.

Presenting the report, officers confirmed that:

- The Planning Officer considered that the oak tree in the northwest corner of the site was a strong contender for the serving of a Tree Preservation Order and work would progress on this matter, with the process to involve the Council's Arboricultural Officer.
- A footpath was to be provided and contained within the site providing access from The Shippons and across the site to the west towards the village. The route was chosen to limit the impact of the footpath upon the character and appearance of the countryside, as the majority was contained within the site and screened by the hedgerow. This limited the amount of intervention into the existing verge, leading from the site and from east to West along the southern portion of the road.
- A pedestrian crossing point would be constructed.
- The 30mph speed limit would be moved approximately 130 metres to the northwest, allowing a reasonable amount of room for vehicles to slow down before approaching the pedestrian crossing point and the proposed new access into the site.
- The gable windows on the eastern elevation Unit 1 had been removed from the plans.

In addition, the officer gave clarification on the implications of the NPPF (2024) for affordable homes.

Mr Jon Saddington, agent on behalf of the applicant, spoke in support of the application.

Members welcomed the amendments to the application and Councillor Taylor proposed and Councillor Knapton seconded that planning permission be granted.

Decision

That planning permission be GRANTED subject to the applicant entering into a legal agreement under section 106 of the Town and Country Planning Act to secure affordable housing provision on site and a commuted sum towards off site provision of affordable housing, highway assessment of proposed highway improvements, highway improvement works and subject to the conditions set out in Section 12 of the report.

Voting record

Unanimous

143 ZB23/02537/MRC - Application for the modification of condition 22 of approved application: 16/02240/FUL

The Head of Development Management – Community Development Services sought determination of an application submitted under Section 73 of the Town and Country Planning Act to seek to vary condition 22 of planning permission: 16/02240/FUL at The Airfield, Bagby.

The application was considered appropriate to be determined by the Planning Committee due to the proposal raising significant planning issues as considered by the Director of Community Development.

Presenting the report, the officer explained that as a result of Brexit and the UK CAA's withdrawal from EASA (European Union Aviation Safety Agency) and the subsequent

transfer of registration by a number of UK aircraft operators, the current wording of condition 22 prohibited the transformation and development of Bagby Airfield which, in the view of the applicant, centred on encouraging modern, quieter aircraft supplanting older, noisier aircraft.

As part of the application the applicant provided technical data supporting the reasoning that the applicant considers a variation to the condition was justified. The Council also sought professional aviation advice from York Aviation who subsequently appointed a noise consultant, Bickerdike Allen Partners (BAP) (Noise Consultants) to provide advice on the proposed varied condition.

It was considered that the proposed variation to the condition allowed the Airfield to operate within its current parameters and the slight increase in range had been fully appraised by an independently commissioned noise consultant engaged by the Council and by the Council's Environmental Health team who advised that the increase would cause no significant noise and disturbance to the local community. The proposal was considered to be in accordance with Policy E2 of the Council's Local Plan Policies.

The officer explained the system installed to monitor activity at the airfield, which detailed the type of aircraft, for example whether a fixed wing or helicopter, whether a resident or non-resident aircraft. The data was publicly available on a website for any member of the public to view.

It was moved by Councillor Burr and seconded by Councillor Knapton that planning permission be granted.

Decision

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

Voting record

6 For

1 Abstention

- 144 ZB24/00064/FUL - Application for proposed development of Bagby airfield to include:- demolition and rebuild of hangar G; extension and external alteration of hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor museum hangar with first floor accommodation; retrospective consent for the construction of a new clubhouse following demolition of the existing clubhouse and control tower; construction of a new control tower and new tractor shed/workshop; demolition and replacement of two temporary hangars with a new hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser.**

The Head of Development Management – Community Development Services determination of an application for full planning permission for proposed development of Bagby Airfield to include:- demolition and rebuild of hangar G; extension and external alteration of hangar F; demolition of the existing maintenance facility and erection of a new facility to form a ground floor museum hangar with first floor accommodation; construction of a new control tower and new tractor shed/workshop; demolition and replacement of two temporary hangars with a new hangar; creation of a new aircraft electric charging point; extension to the runway geotextile tiling; hard and soft landscaping and creation of a new bowser at The Airfield, Bagby.

One part of the application was retrospective, and permission was sought for the construction of a new clubhouse, which would be used as a new clubhouse (not at present)

following demolition of the existing clubhouse and control tower.

The application was considered appropriate to be determined by the Planning Committee due to the proposal raising significant planning issues as considered by the Director of Community Development.

Due to the technical nature of the proposed development and the potential harm to the local community, the Council sought professional aviation advice from York Aviation to determine if the proposals were required or needed as part of the development of the airfield. York Aviation were used by Hambleton District Council in the determination of planning application reference: 16/02240/FUL and had knowledge of the site and its history.

The application sought planning permission for a re-development of several buildings within Bagby Airfield. As the site was within a countryside location and a business in a rural area it was considered that the proposal to re-develop certain buildings was in accordance with the Council's Local Plan Policies as the majority of the re-builds were on the same footprint as existing buildings or involved appropriate increases in floor space of existing buildings. The proposal was considered acceptable and in accordance with Local Plan policies in respect of all other material considerations, subject to the imposition of the recommended planning conditions.

It was acknowledged that the proposed development was not the operational expansion of the airfield and would not result in operations at the airfield surpassing that to which they are limited under condition 13 of planning permission ref. 16/02240/FUL (the number of aircraft movements allowed within a calendar year). Rather, the expansion of the business would be in the form of increasing the quality of existing on-site facilities and providing sufficient storage space to support the goals outlined in the applicant's Business Plan.

The proposed development would enable Bagby Airfield to move away from smaller hobbyist aircraft and microlights to more modern aircraft. Alongside enhancing the security of the airfield and the safety of its operators, the proposed works would enable the airfield to comply with UK Border Force regulations and attendant HMRC import/export rules, enabling arrival and departure from and to EU and non-UK destinations.

The proposals would improve the current hangar space on the site and provide upgraded clubhouse facilities to accommodate visitors to the site. Furthermore, the application also proposed the introduction of a museum for visitors to the airfield to view vintage aircraft on display at the airfield. It was considered that these changes were in line with the Council's Local Plan Policies and the overarching principles of the NPPF.

As set out in HM Government's (2015) General Aviation Strategy (GAS), GA airfields must adapt to survive. The adaptations proposed within the subject application will secure the airfield's future in the face of rapid change and financial pressures. Particular support was received at the national level, with Bagby Airfield forming an important component in a broad network of UK aerodromes, the protection and enhancement of which is key to the UK Aviation Policy Framework.

Overall, the proposed developments at Bagby Airfield secures the long-term sustainability of a general aviation airfield, whilst improving the quality of facilities available to its members and visitors. It was proposed that the development was in accordance with the Council's Local Plan Policies.

The Division Member welcomed the application as they believed it would improve the relationship between the applicant and the neighbouring parish councils in addition to improving the appearance of the site.

Members welcomed the modernisation of facilities and the provision of electric charging points.

Councillor Burr proposed and Councillor Taylor seconded that planning permission be granted.

Decision

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

Voting record

6 For

1 Abstention

The meeting paused from 11.30 – 11.35am.

145 ZE24/04403/MFUL - Construction of office building with associated workshop and vehicle storage space (Class E) along with external site compound, covered cycle storage building and associated accesses, car parking and landscaping land south of Riccal Drive, Helmsley

The Head of Development Management – Community Development Services sought determination of a planning application for construction of office building with associated workshop and vehicle storage space (Class E) along with external site compound, covered cycle storage building and associated accesses, car parking and landscaping on land South of Storey Close, Helmsley, for the North York Moors National Park Authority.

This matter was brought to Committee owing to the degree of public interest in the matter and the nature of the planning issues raised in representations.

The principle of the development was considered to be supported through the allocation of the land for employment purposes in the Local Plan. The main elements of the proposals were considered to be in line with the requirements of the allocation policy EMP2.

Third party representation highlighted the changes to the character of the area that had occurred as a result of the housing development in the vicinity of the application site. However, the area had been allocated for some time for both housing and employment uses, the fact that the housing had been developed more rapidly than the employment land should not count against a land-owner who had purchased land for employment uses as in this case.

Matters pertaining to bio-diversity, ecology, drainage, flooding, noise and highways were all considered to be acceptable, subject to conditions.

The key benefits of the proposals were considered to be the delivery of a high-quality office and depot facility for the North York Moors National Park Authority, delivering the development of an area of allocated employment land on the edge of Helmsley.

There were a number of concerns raised in third party representations, including noise and disturbance, road safety concerns, along with the change in the character of the area. The report identified and addressed these issues and whilst it was considered that the proposed development did result in a degree of change and to some extent harm, the identified harm was not sufficient to warrant the refusal of the application and it was considered that the benefits of the scheme outweighed those harms.

At the discretion of the Chair the speakers were allowed five minutes to speak instead of the usual three minutes.

Mr Dan Falchikov, Ms Sharron Sumner and Mr Mike Skehan spoke to object to the application.

Councillor George Jabbour spoke as the Division Member.

Mr Ian Nicholls spoke on behalf of the applicant.

Councillor Lindsay Burr proposed and Councillor Nigel Knapton seconded that the decision be deferred.

Decision

That the application be deferred for the following reasons:

- Confirmation of the hours of operation for works and deliveries to form part of the Construction Management Plan.
- The addition of a condition to remove permitted development rights for fencing.
- The addition of gates or barriers across the entrances to the car parks to restrict access out of working hours.
- Consideration of the footpath route thorough and adjacent to the site and its use and risk of loss.
- The addition of a condition to restrict use class.
- Clarification of the number of users of the site and an estimate of the likelihood of other third party users of the site.

Voting record

Unanimous

146 Any other items

There were no items of urgent business.

147 Date of next meeting

10am on Thursday, 16 January 2025.