

**THIRSK AND MALTON CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS**

19 December 2024

Agenda Item	Application number and Division	Respondent	
1	ZB24/01340/FUL Huby and Tollerton	Consultee (Highways Authority) Response	<p><i>“Note to the Planning Officer:</i></p> <p><i>The Local Highway Authority has received further information since the issue of the recommendation dated 18 October 2024 and this recommendation supersedes that. The Local Highway Authority recommends that the following conditions are attached to any permission granted:</i></p> <p><i>1) MHC-03 New and altered Private Access or Verge Crossing</i></p> <p><i>The development must not be brought into use until the access to the site has been set out and constructed in accordance with the following requirements:</i></p> <ul style="list-style-type: none"> <i>• The crossing of the highway verge must be constructed in accordance with the approved drawing 3992/PD/03 Rev. C and Standard Detail number A1.</i> <i>• Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway.</i> <i>• The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing public highway.</i> <p><i>All works must accord with the approved details.</i></p>

Reason for Condition

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

2) MHC-04 Closing of Existing Access

The development must not be brought into use until the existing access has been permanently closed off in accordance with the approved drawing 3992/PD/03 Rev. C.
Reason for Condition

In the interests of highway safety and the amenity of the area.

3) MHC-07 Delivery of off-site highway Works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Amendment of the existing 30 mph speed limit and relocation of related signage in accordance with the approved drawing 3992/PD/03 Rev. C prior to any part of the development being brought into use.*
- Provision of footway and tactile crossing point to connect the site with the existing footway on the south side of West Lane. The footway must be constructed in accordance with the approved drawing 3992/PD/03 Rev. C and Standard Detail number A1 prior to any part of the development being brought into use.*

Each item of the off-site highway works must be completed in accordance with the approved details and programme.

Reason for Condition

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

4) MHC-09B Provision of Approved Access, Turning and Parking Areas

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the with the approved drawing 3992/PD/03 Rev. C. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

5) MHC-15B Construction Phase Management Plan - Small sites

No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

- details of any temporary construction access to the site including measures for removal following completion of construction works;*
- wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;*
- the parking of contractors' vehicles;*

- *areas for storage of plant and materials used in constructing the development clear of the highway;*
- *contact details for the responsible person (site manager/office) who can be contacted in the event of any issue;*
- *details of site working hours and deliveries.*

Reason for Condition

In the interest of public safety and amenity.

Other Permissions required from the Local Highway Authority

Applicants are reminded that in addition to securing planning permission other permissions will be required from North Yorkshire Council as Local Highway Authority. Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

Informative

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition."

The above Conditions 1, 4 and 6 should replace Conditions 6, 7 and 8 of the published officer report as updated versions.

		Officer Response	<p>Condition 2 of the above response should be incorporated into the list of conditions within the officer report.</p> <p>Condition 3 of the above will not be incorporated into the officer recommendation report as the process through which the highways improvements are to be gained is via legal agreement (S106) as detailed within the report. The wording of Condition 3 is such that there would be a requirement to complete the off-site works prior to the site coming into use.</p> <p>Given that an assessment of the feasibility of the works has to be undertaken prior to the commencement of the works, and that this assessment will require a transfer of funds between the applicant and the Council, it is considered that a legal agreement is a more appropriate approach in this instance.</p>
2	ZB23/02537/MRC Hillside & Raskelf	Officer Comments	<p>When planning permission was granted in 2019 (Planning permission: 16/02240/FUL) the planning permission was also subject to a Section 106 agreement. A deed of variation is not required as part of this application, as a clause was inserted into the Section 106 within section 6.2 which states that any future Section 73 application the deed approved in the 2019 permission shall be still applicable and remain in full force without the need for a variation to be applied for.</p>
3	ZB24/00064/FUL Hillside & Raskelf	Officer Comments	<p>The length of the geo textile track to the south of the runway would be 305 metres. The total length of the runway is 685 metres. From where the runway ends to the south to the A19 is a further 265 metres of agricultural land between the runway and the A19. The distance of the site from the Howardian Hills AONB is 4.68 miles away (as the crow flies) from the Airfield. The site is 5 miles away from the North York Moors National Park (as the crow flies) from the Airfield.</p>
		Bagby & Balk Parish Council	<p>The Parish Council have provided a supplementary document detailing that they wish to see the application refused. A copy of the document is attached as Appendix 1. The Parish Council have sub divided their objection into various sections and each of the matters are addressed in further detail below.</p>

		Officer Response	<p><u>Health and Safety</u></p> <p>As part of the officer report section 8.0 considers the requirement for an Environment Impact Assessment and concludes that an Environment Impact Assessment is not required as part of the application. Furthermore, safety were assessed when changes to the runway were undertaken in 2021. This is addressed within the officer report in section 10.108.</p> <p><u>Aircraft Monitoring</u></p> <p>As a requirement of the planning permission granted under reference: 16/02240/FUL in 2019 a system was required to be put in place in order for the Council to monitor aircraft movements coming in and out of the Airfield. This has taken several years to be implemented but is now live and viewable on a publicly viewable website. The monitoring system is recording data accurately and meets the requirements of the conditions. Officers are satisfied that this system in place enables the Council to retain control over the Airfield's activities.</p> <p>Furthermore, no proposed changes are to be made to the current monitoring system as the system approved in 2019 is fully implemented and the condition is subsequently replicated within the officer recommendation report. The Airfield is not proposing any alteration to total aircraft movements or operating hours of the Airfield as they wish for this to remain the same as the 2019 permission. Therefore, conditions imposed in regard to monitoring have been re-imposed on this application for continuity and to ensure that the Council remains control over enforcing relevant planning conditions imposed.</p> <p><u>Two Temporary Hangars</u></p> <p>It is noted that the hangars were granted temporary permission, however the applicant seeks planning permission for a replacement hangar. Officer view on a replacement hangar is detailed within section 10.20 of the Officer's report.</p>
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		Member of Public Comment	<p><u>Employment</u></p> <p>The Parish Council consider that the employment generation is speculative and that the provision of accommodation and dining on site leaves no prospect for economic benefit for public houses in the area. The amount of short-term accommodation been made available is only for users of the Airfield and is limited to no more than 6 people at any one time. This is considered to be a small amount and would not have a detrimental impact on local employment in the area. Furthermore, the dining again is only offered to visitors of the Airfield and is not available to members of the public and therefore this would not cause a significant impact on localised employment.</p> <p><u>Impact on the Village of Bagby</u></p> <p>The number of vehicles entering the site to access the museum facility is addressed within the officer report at 10.93 and it is considered that the development is in accordance with the Council's Local Plan Policies.</p> <p>A further letter of support has been received in regard to this application.</p>
7	ZE24/04403/MFUL	Officer	<p>The New NPPF was released on 12 December and immediately becomes a material consideration. It is considered that there are no amendments to the NPPF which materially impact on the recommendation in the report.</p> <p>Condition 10 - The Soft Landscape Specification set out in drawing MR23-151/101, received on 27 September 2024 shall be implemented by the end of the first planting season following occupation of the development hereby approved. Any plants which are damaged or die, within 5 years of completion of the planting scheme shall be replaced. Prior to implementation details of the size and species of plants to be planted along the east boundary shall be provided to and approved by the Local Planning Authority, to provide an effective and immediate screen to the visitor car park. The development shall be implemented in accordance with the approved details.</p>