

## Planning Committee

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Held at Council Chamber, Ryedale House, Malton  
Tuesday 3 June 2014

### Present

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Councillors Arnold (Substitute), Mrs Frank (Vice-Chairman), Hicks, Hope, Maud, Richardson, Mrs Sanderson, Mrs Shields (Substitute), Windress (Chairman) and Woodward

Substitutes: Councillor S Arnold (for Councillor Mrs C Goodrick) and Councillor Mrs E Shields (for Councillor Mrs L M Burr MBE)

### In Attendance

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Jo Holmes, Gary Housden, Shaun Robson, Jill Thompson, Mel Warters, Daniel Wheelwright and Anthony Winship

### Minutes

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1 **Apologies for absence**

Apologies were received from Councillors Mrs Goodrick and Mrs Burr.

2 **Minutes of meeting held on 7th May 2014 and 24th April 2014**

**Decision**

That the minutes of the meeting of the Planning Committee's held on 7 May 2014 and 24 April 2014 be approved and signed by the Chairman as a correct record.

[For 5 Against 0 Abstain 5]

3 **Urgent Business**

There was no urgent business.

4 **Declarations of Interest**

There were no declarations of interest.

5 **Schedule of items to be determined by the Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations there on.

6 **14/00096/MOUT - Agricultural Contractors, Welham Road, Norton, Malton**

**14/00096/MOUT** - Residential development of 18 no. dwellings following demolition of existing agricultural type buildings (site area 0.54ha).

**Decision**

**PERMISSION REFUSED** – As recommended.

[For 10 Against 0 Abstain 0]

7 **14/00312/MFUL - Land At Westfield Farm, Westfield Lane, Normanby**

**14/00312/MFUL** - Change of use of agricultural land to form a 50 pitch touring caravan site to include erection of a single storey service building, formation of new vehicular access to the north and excavation of 300m x 90m lake (maximum dimensions).

**Decision**

**APPLICATION WITHDRAWN**

8 **14/00316/MREM - 5 Welham Road, Norton, Malton**

**14/00316/MREM** - Erection of 3no. retail units (Use Class A1) and children's day nursery (Use Class D1).

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10 Against 0 Abstain 0]

9 **14/00347/MFUL - Area Of Hardstanding To East Of Wombleton Caravan Park, Moorfields Lane, Wombleton, Kirkbymoorside**

**14/00347/MFUL** - Change of use of concrete hardstanding to provide caravan storage area.

**Decision**

**APPLICATION WITHDRAWN**

**10 13/00880/73A - Eastfield Lodge, Long Lane, Great Barugh, Malton**

**13/00880/73A** - Variation of Condition 02 (agricultural occupancy condition) of approval 3/94/7B/PA dated 15.05.1978 to allow local needs occupancy.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10 Against 0 Abstain 0]

**11 13/00973/FUL - Eastfield Lodge, Long Lane, Great Barugh, Malton**

**13/00973/FUL** - Change of use of land to form an extension to domestic curtilage and erection of single-storey detached log cabin for use as a residential annex.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 8 Against 2 Abstain 0]

**12 14/00412/FUL - Land Adj Cro's Nest, Brawby Lane, Brawby, Malton**

**14/00412/FUL** - Erection of a two-bedroom bungalow, detached garden store and formation of 2no. parking spaces.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10 Against 0 Abstain 0]

**13 14/00424/ADV - The Rose, 9 Bridge Street, Pickering**

**14/00424/ADV** - Display of 1no. externally illuminated name board sign and 1no. non-illuminated fascia sign to south elevation, 2no. non-illuminated amenity signs and 1no.externally illuminated sign comprising individually applied enamel letters to east elevation, 1no. externally illuminated name board sign, and 1no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2no. wall-fixed lanterns either side of east entrance door, to replace existing signage.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10 Against 0 Abstain 0]

**14 14/00425/LBC - The Rose, 9 Bridge Street, Pickering**

**14/00425/LBC** - Display of 1 no. externally illuminated name board sign and 1 no. non-illuminated fascia sign to south elevation, 2 no. non-illuminated amenity signs and 1 no. externally illuminated sign comprising individually applied enamel letters to east elevation, 1 no. externally illuminated name board sign, and 1 no. non-illuminated sign comprising individually applied enamel letters to west elevation together with installation of 2 no. wall-fixed lanterns either side of east entrance door, to replace existing signage.

**Decision**

**PERMISSION GRANTED** – Subject to conditions as recommended.

[For 10 Against 0 Abstain 0]

**15 14/00426/MOUTE - Land At Edenhouse Road, Old Malton, Malton**

**14/00426/MOUTE** - Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1, B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha).

Decision					
<b>SITE VISIT</b>					
[For	10	Against	0	Abstain	0]

16 **14/00427/MOUTE - The Showfield, Pasture Lane, Malton**

**14/00427/MOUTE** - Demolition of existing buildings and structures and erection of circa 227 residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, cut and fill, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 11.90ha).

Decision					
<b>SITE VISIT</b>					
[For	10	Against	0	Abstain	0]

17 **14/00428/MOUTE - Land South Of, Westgate, Old Malton, Malton**

**14/00428/MOUTE** - Demolition of existing buildings and structures, conversion of retained buildings to residential dwellings and erection of new residential dwellings (Use Class C3) (circa 35 dwellings in total) along with all associated development including drainage, landscaping, boundary treatments, provision of services and access and associated highway works (site 2.0ha).

Decision					
<b>SITE VISIT</b>					
[For	10	Against	0	Abstain	0]

18 **14/00429/MOUTE - Land At Rainbow Lane, Malton**

**14/00429/MOUTE** - Erection of circa 45no. affordable residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works (site area 3.4 ha).

Decision					
<b>SITE VISIT</b>					
[For	10	Against	0	Abstain	0]

19 **Exempt Information**

**Exempt Information**

It was moved by Councillor Mrs Frank and seconded by Councillor Mrs Shields that the meeting move into exempt session.

Upon being put to the vote the motion was carried.

**Resolved**

That under Section 100(A)(4) of the Local Government Act 1972 that the public be excluded from the meeting for the following item as there was likely to be disclosure of exempt information as defined in Paragraph 5 (Legal Privilege) of Part 1 of Schedule 12A of the Act as the information provided relates to legal advice which attracts legal privilege. It was recommended that the Planning Committee meeting on this agenda item took place in private, to protect the Council's defence at the planning inquiry. Releasing confidential and legal advice in advance of the inquiry could damage the Council's case, which would not be in the public interest.

[For 10 Against 0 Abstain 0]

20 **Gladman Planning Appeal - Kirkbymoorside - Arrangements for Defending the Appeal**

The Planning Committee considered a report prepared by the Council Solicitor which had been previously circulated.

Members were advised that Gladman Developments Limited had lodged an appeal against the decision of the Planning Committee meeting on 4 February 2014 to refuse planning application 13/01314/MOUT for up to 225 dwellings, etc on Land at Westfields, New Road to Kirkdale Lane, Kirkbymoorside. It has been confirmed that the matter will be dealt with by Public Inquiry.

Accordingly, officers had sought independent professional opinions from a Planning Consultant and a Landscape Consultant and legal advice on the reasons for refusal, and a late report was circulated to Members on defending the appeal.

Members were also informed that Planning Practice Guidance: Appeals (6/5/2014) advises that Local Planning Authorities should review their case promptly once an appeal has been lodged.

### Decision

That the Planning Committee resolves as follows:

1. That Reason for Refusal 1 be amended to delete reference to SP12 and paragraph 131 of NPPF, as follows:

“The proposed development by virtue of its scale and form would result in the expansion of the town in a way which would result in significant and demonstrable harm to its form and character. The proposal is not in accordance with the principle of the Ryedale Plan Local Plan Strategy (adopted September 2013) which seeks to accommodate new development at the town in a way which seeks to retain its traditional north/south axis and form in the landscape and is not in accordance with Policies SP16 and SP20 of the Local Plan Strategy. In this respect the proposal is also contrary to Paragraph 17 (bullet point 5) of the National Planning Policy Framework.”

2. That Reason for Refusal 2 be withdrawn.

3. That the wording of Reason for Refusal 3 be revised to read:

“The proposed development is contrary to Policy SP1 of the Local Plan Strategy (adopted September 2013) in that it will extend significantly beyond the western edge of the existing settlement to the extent that it will not ensure the sensitive expansion of Kirkbymoorside. Accordingly, the proposed development by virtue of its size is contrary to, and would undermine, the strategic approach and development principles for accommodating development at the Town which is established in Section 3 of the Local Plan Strategy.”

- 4 That Reason for Refusal 4 be withdrawn.

5. That Reason for Refusal 5 be withdrawn

[For 8                      Against      2      Abstain      0]

Councillors Woodward and Richardson requested that their vote be recorded.

21      **Any other business that the Chairman decides is urgent.**

There was no urgent business.

22      **List of Applications determined under delegated Powers.**

The Head of Planning & Housing submitted for information (previously circulated) which gave details of the applications determined by the Head of Planning & Housing in accordance with the scheme of Delegated Decisions.

23 **Update on Appeal Decisions**

Members were advised of the following appeal decisions.

APP/Y2736/D/14/2216568 – The Barn, 5 Mistle Corner, Wilton, Pickering, YO18 7LZ

APP/Y2736/A/13/2201109 – Wind Farm on Land at East Heslerton Wold, East Heslerton

**Meeting Closed at 8.35pm**