

## Planning Committee

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Held at West Wing, Malton School, Middlecave Road, Malton  
Tuesday 20 October 2015

### Present

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Councillors Burr MBE, Cussons (Substitute), Farnell, Frank (Vice-Chairman), Goodrick, Hope, Jainu-Deen, Maud, Thornton and Windress (Chairman)

Substitutes: Councillor D Cussons (for Councillor M J T Cleary)

### In Attendance

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Jo Holmes, Karen Hood, Gary Housden, Paul Hunt, Jill Thompson and Anthony Winship

### Minutes

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92     **Apologies for absence**

Apologies have been received from Councillor Cleary.

93     **Declarations of Interest**

| <b>Councillor</b> | <b>Application</b> |
|-------------------|--------------------|
| Cussons           | 4                  |
| Jainu-Deen        | 4                  |
| Farnell           | 4                  |
| Frank             | 4                  |
| Goodrick          | 4                  |
| Hope              | 4                  |
| Windress          | 4                  |
| Maud              | 4                  |
| Thornton          | 4                  |
| Burr              | 4                  |

94     **Schedule of items to be determined by Committee**

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

95     **14/00678/MOUTE - Land North Of, Castle Howard Road, Malton**

**14/00678/MOUTE** - Outline application for the demolition of outbuildings associated with the existing veterinary surgery and erection of a mixed use residential led development for a maximum of 500 residential units (including retirement home), Employment (B1a and c), Community (D1/D2) and Retail

(A1/A3/A4) uses, Structural planting and landscaping, Informal public open space, Childrens play areas and Surface water attenuation.

## **Decision**

### **APPLICATION REFUSED**

Reasons For Refusal:

1. The proposed development is not in accordance with the Development Plan and does not comply with Policy SP2 of the Plan (The Ryedale Plan - Local Plan Strategy). The benefits of the development do not outweigh the harm to the intrinsic character and natural beauty of the open countryside and harm to an area of open countryside which by virtue of its natural beauty and intrinsic character forms an attractive approach to Malton. Furthermore, the proposed development is EIA development which at its closest point is 48m from the nationally protected landscape of the Howardian Hills Area of Outstanding Natural Beauty (AONB). The benefits of the proposed development do not outweigh the significant and demonstrable harm to the AONB by virtue of landscape and visual effects arising from the development in its totality, including proposed landscape mitigation. This is contrary to the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.
2. The site is located at the edge of the Town and on elevated land relative to other parts of the Town. The existing residential development directly abutting the application site to the eastern side is of a predominantly traditional scale residential development. Policy SP16 of the Local Plan Strategy requires new development to reinforce local distinctiveness by respecting the context provided by its surroundings which includes the structure of the Town and the topography and landform that has shaped the structure of the Town. Based on the information submitted with the application, it has not been demonstrated that the proposed development of a maximum of 500 dwellings can be accommodated in a satisfactory manner that complies with Policy SP16 of the Ryedale Plan - Local Plan Strategy without significant detriment to the character of the Townscape.
3. The A64 Trunk Road is located adjacent to the western boundary of the application site and Castle Howard Road to its southern boundary. The application site is therefore subject to road traffic noise. Policy SP20 of the Ryedale Plan - Local Plan Strategy requires that new residential development meets the highest noise standards including those of the World Health Organisation, British Standards and wider international and national standards relating to noise. Based on the information submitted, it has not been demonstrated that 500 dwellings can be accommodated on the application site in a satisfactory manner, without experiencing unacceptable levels of road traffic noise both during day-time and night-time. The proposed development is

therefore contrary to the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

4. Policy SP3 of the Ryedale Plan - Local Plan Strategy seeks the provision of 35% on-site Affordable Housing from the application site. Policy SP3 also requires the Local Planning Authority to maximise this affordable housing provision to achieve this target having regard to the circumstances of the individual sites and scheme viability. The applicants have undertaken a financial viability assessment which concludes an affordable housing contribution is only viable at a much reduced provision, equating to a contribution of 9%- 10% affordable housing provision against the maximum number of 500 dwellings proposed. The viability assessment undertaken by the applicants has failed to justify this much reduced affordable housing contribution. In the absence of satisfactory justification, the proposal is therefore contrary to the requirements of Policy SP3 of the Ryedale Plan - Local Plan Strategy.

[For 10

Against 0

Abstain 0]

In accordance with the Members' Code of Conduct Councillors Cussons, Hope, Jainu-Deen, Farnell, Goodrick, Frank, Burr, Maud, Thornton and Windress declared a personal non pecuniary but not prejudicial interest.

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

There was no urgent business.

**The meeting closed at 7.25pm**