

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 8 April 2014

Present

Councillors Cussons, Mrs Goodrick, Hope, Maud, Raper (Chairman), Mrs Sanderson, Windress (Vice-Chairman) and Woodward

Substitutes:

In Attendance

Jo Holmes, Matthew Mortonson, Shaun Robson, Rachel Smith, Jill Thompson, Mel Warters and Anthony Winship

Minutes

191 **Apologies for absence**

Apologies were received from Cllrs' Richardson and Clark.

192 **Minutes of meeting held on the 11th March 2014**

Decision

That the minutes of the meeting of the Planning Committee held on 11 March 2014 be approved and signed by the Chairman as a correct record.

193 **Urgent Business**

The Development Manager appraised members' of the DCLG's consultation document on planning performance and planning contributions to affordable housing.

It was agreed that a response to the consultation would be prepared and circulated for comment by the Head of Planning and Housing in advance of the submission. Members' were made aware of the 6 week consultation period which expires on the 4 May 2014.

194 **Declarations of Interest**

The following Members' indicated that they would be declaring interest under the Members' Code of Conduct in respect of the following items.

Councillor	Application
Cussons	12
Windress	6
Hope	9
Goodrick	7
Sanderson	6,16
Maud	6
Raper	6

195 **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.

196 **13/01425/FUL - Land To Rear Of 43, Scarborough Road, Rillington**

13/01425/FUL - Erection of 2 no. semi detached three bedroom dwellings with attached single garages, 2 no. detached 4/5 bedroom dwellings with integral garages and formation of vehicular access.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

In accordance with the Members' Code of Conduct Councillors Windress, Mrs Sanderson, Maud and Raper declared a personal non pecuniary but not prejudicial interest.

197 **13/00728/FUL- The Croft, Main Street, Welburn, Malton**

13/00728/FUL - Erection of 3 no. 4 bedroom dwellings and 1 no. detached garage following demolition of existing dwelling, and formation of vehicular access.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

In accordance with the Members' Code of Conduct Councillor Mrs Goodrick declared a personal non pecuniary but not prejudicial interest.

198 **13/01222/FUL - 60 Main Street, Ebberston, Scarborough**

13/01222/FUL - Change of use and alteration of detached garage to form 1no. 2-bedroom holiday cottage.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

199 **13/01461/FUL - Land At Cornborough Road, Sheriff Hutton, Malton**

13/01461/FUL - Siting of two bedroom timber cabin for use as a temporary rural workers dwelling to include formation of access track and hardstanding, and provision of a domestic curtilage (retrospective application).

Decision

(1) PERMISSION REFUSED – As recommended.

(2) That the Council Solicitor in conjunction with the Head of Planning & Housing be authorised to take enforcement action:

(i) to secure the removal of the timber cabin, access track, hardstanding, bunding and existing building and stables;

(ii) to secure compliance with the previously approved plans in respect of the agricultural building constructed under ref. 13/00803/FUL

In accordance with the Members' Code of Conduct Councillor Hope declared a personal non pecuniary but not prejudicial interest.

200 **14/00124/FUL - Westfield Farm, Low Lane, Westow, Malton**

14/00124/FUL - Erection of an agricultural livestock building.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

201 **14/00125/FUL - Westfield Farm, Low Lane, Westow, Malton**

14/00125/FUL - Siting of a two bedroom mobile home for use as a temporary agricultural workers dwelling.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

202 **14/00135/73A - Wombleton Grange Farm, Common Lane, Wombleton, Kirkbymoorside**

14/00135/73A - Variation of condition 01 of approval 13/00805/FUL dated 11.12.2013 to add the following operating hours to those approved "between 08:00hrs and 17:00hrs on Sundays or Bank Holidays with a period between 07:30hrs and 08:00hrs to allow warm up and between 17:00hrs and 18:00hrs to cool down" removal of operation restrictions on Sundays and Bank Holidays.

Decision

PERMISSION REFUSED – For the following reason:

(i) The Local Planning Authority considers that by virtue of issues related to noise and dust that the proposed variation of condition 01 of approval 13/00805/FUL, to allow the operation of the grain dryer on Sundays and Bank Holidays in addition to the hours permitted in approval 13/00805/FUL, would on balance result in material harm to the amenity of nearby properties. The proposal would therefore be contrary to the requirements of Policy SP20 of the Ryedale Local Plan Strategy as identified above.

Decision contrary to officer recommendation.

In considering the application within the context of the policies of the recently adopted Local Plan Strategy read as a whole and all other material considerations, Members' of the Planning Committee considered there to be greater impacts arising from the proposal on the residential amenity of the neighbouring dwelling as identified in the Reasons for Refusal.

In the exercise of its statutory discretion to determine planning applications in accord with the development plan unless material considerations indicate otherwise the Planning Committee weighed all the material considerations of this case in the decision making balance and reached a planning judgment that weighed in favour of refusal.

In accordance with the Members' Code of Conduct Councillor Cussons declared a personal non pecuniary but not prejudicial interest.

203 **14/00150/FUL - Ellis Patents, High Street, Rillington, Malton**

14/00150/FUL - Installation of a 10,000 litre capacity fuel oil tank on agricultural land immediately adjacent to existing commercial site boundary (retrospective application).

Decision

PERMISSION REFUSED – Delegation to Development Manager to draft detailed reason for refusal based on impact on amenity of near by dwellings.

Decision contrary to officer recommendation.

In considering the application within the context of the policies of the recently adopted Local Plan Strategy read as a whole and all other material considerations, Members' of the Planning Committee considered there to be greater impacts arising from the proposal on the residential amenity of the neighbouring dwelling as identified in the Reasons for Refusal.

In the exercise of its statutory discretion to determine planning applications in accord with the development plan unless material considerations indicate otherwise the Planning Committee weighed all the material considerations of this case in the decision making balance and reached a planning judgment that weighed in favour of refusal.

204 **Enforcement Report - The Brow, Leavening, Malton**

Decision

The Council Solicitor in consultation with the Head of Planning and Housing to issue an enforcement notice pursuant to section 172 of the Town And Country Planning Act 1990 (as amended) requiring the removal of the fence.

205 **Enforcement Report - Corona Cottage, Main Street, Hovingham**

Decision

The Council Solicitor in consultation with the Head of Planning and Housing to issue an enforcement notice pursuant to section 172 of the Town And Country Planning Act 1990 (as amended) requiring the removal of the fence.

Decision

Members' agreed the District Council's response to the consultation as outlined in the report with the following additions.

1. Amend response to site MJP 30 to include reference to the spring on the site which provides a private water supply to properties at East and West Knapton and for the Council to make the point that it will also object to the development of the site on the basis of water supply if the security of the supply is jeopardised
2. To request that the joint plan is 'future proofed' in terms gas extraction should the terminology change over time or new technological processes are designed to extract gas from unconventional sources
3. To request that the Joint Plan recognises that some settlements are split by the National Park boundary (such as Helmsley and Thornton-Le-Dale in Ryedale) and that there are landscape sensitivities associated with those parts of the settlement adjacent to but not within the National Park.

In accordance with the Members' Code of Conduct Councillor Mrs Sanderson declared a personal non pecuniary but not prejudicial interest.

207 Any other business that the Chairman decides is urgent.

There was no Urgent Business.

208 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.

209 Update on Appeal Decisions

Members' were advised of the following appeal decisions.

APP/Y2736/A/13/2209283 Spring Barn, Flaxton, YO60 7RP
APPY2736/C/13/2203840 9-11 Westgate, Rillington, YO17 8LN

Meeting Closed at 8.45pm