

## Planning Committee

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Held at Council Chamber, Ryedale House, Malton  
Tuesday 16 December 2014

### Present

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Councillors Mrs Burr MBE, Cussons (Substitute), Mrs Frank (Vice-Chairman), Mrs Goodrick, Hicks, Maud, Richardson, Mrs Sanderson, Windress (Chairman) and Woodward

Substitutes: Councillor D Cussons (for Councillor E Hope)

### In Attendance

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Jo Holmes, Gary Housden, Rachel Smith, Jill Thompson, Mel Warters, Daniel Wheelwright and Anthony Winship

### Minutes

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135 **Apologies for absence**

Apologies were received from Councillor Hope.

136 **Minutes**

| Decision  |           |            |
|---|-----------|------------|
| That the minutes of the Planning Committee held on 18 November 2014 be approved and signed by the Chairman as a correct record. |           |            |
| [For 9  | Against 0 | Abstain 1] |

137 **Urgent Business**

There was no urgent business.

138 **Declarations of Interest**

| Councillor | Application |
|------------|-------------|
| Goodrick   | 6           |
| Sanderson  | 6,9         |
| Burr       | 6           |
| Maud       | 6           |
| Woodward   | 6           |
| Richardson | 6,7         |

139 **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.

140 **14/00947/MFUL - ATS Euromaster, 25 - 27 Commercial Street, Norton**

**14/00947/MFUL** – Erection of 37no. one bedroom apartments. 20no. two bedroom apartments, 5no. three bedroom dwellings with undercroft parking, private and communal amenity areas, landscaping, alteration to existing vehicular access and erection of street front commercial unit with one bed studio above.

| <b>Decision</b>   |           |         |    |
|-------------------|-----------|---------|----|
| <b>DEFERRED –</b> |           |         |    |
| [For 9            | Against 0 | Abstain | 0] |

In accordance with the Members' Code of Conduct Councillors Mrs Goodrick, Mrs Sanderson, Maud, Woodward, Richardson declared a personal non pecuniary but not prejudicial interest. Councillor Mrs Burr declared a disclosable pecuniary interest and left the room.

141 **14/01081/OUT - Land At, Piercy End, Kirkbymoorside**

**14/01081/OUT** – Erection of dwelling with detached garage (site area 0.1ha).

| <b>Decision</b>  |           |         |    |
|--|-----------|---------|----|
| <b>PERMISSION GRANTED – Against Officer Recommendation</b> |           |         |    |
| [For 9   | Against 0 | Abstain | 0] |

**Refusal 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 lesser impacts arising from the proposal as follows :

- (i) That the character of the conservation is preserved; and
- (ii) There is no harm to the setting of the listed building .

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 judgement that weighed in favour of approval.

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

142 **14/00909/HOUSE - Newlands, 4 St Peters Crescent, Norton**

**14/00909/HOUSE** – Erection of single storey side and rear extensions to include integral garage with storage above.

|   |           |         |    |
|---|-----------|---------|----|
| <b>Decision</b>   |           |         |    |
| <b>PERMISSION GRANTED</b> – Subject to conditions as recommended. |           |         |    |
| [For 9  | Against 0 | Abstain | 0] |

143 **14/00980/MFUL - Ryelands Care Home, Hurrell Lane, Thornton-Le-Dale**

**14/00980/MFUL** – Demolition of existing buildings and erection of 6no. four bedroom dwellings, 4no. three bedroom dwellings, 2no. two bedroom dwellings and 2no. one bedroom dwellings with associated garaging, parking and amenity areas and repositioning of vehicular access.

|  |           |         |    |
|--|-----------|---------|----|
| <b>Decision</b>  |           |         |    |
| <b>PERMISSION GRANTED</b> – Subject to conditions as recommended and completion of S106 Legal Agreement. |           |         |    |
| [For 10  | Against 0 | Abstain | 0] |

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

144 **14/01187/FUL - 4 Dale Road, Sheriff Hutton, Malton**

**14/01187/FUL** – Removal of roller shutter door to north elevation and replacement by 2no. timber windows and surrounding brickwork.

|   |           |         |    |
|---|-----------|---------|----|
| <b>Decision</b>   |           |         |    |
| <b>PERMISSION GRANTED</b> – Subject to conditions as recommended. |           |         |    |
| [For 10   | Against 0 | Abstain | 0] |

145 **Publication of the CIL Revised Draft Charging Schedule**

| <b>Decision</b>  |   |         |   |         |    |
|--|---|---------|---|---------|----|
| Council is recommended to resolve to:  |   |         |   |         |    |
| (i) Approve the revised Draft Charging Schedule at Appendix 1 for formal public consultation and subsequent submission to the Secretary of State for Examination |   |         |   |         |    |
| [For   | 9 | Against | 0 | Abstain | 0] |

146 **Exempt Information**

**Exempt information**

**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 will be a likely disclosure of exempt information:

Exemption Category: Certain information in this report is considered to be exempt as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

Reason for Exemption: 1) Information relating to any individual; 2) Information relating to the financial or business affairs of any particular person; 3) Information which reveals that the authority proposes-

a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) To make an order or direction under any enactment

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

147 **Policy Report - The Helmsley Plan: Land at Helmsley**

| <b>Decision</b> |
|-----------------|
|-----------------|

Council is recommended to resolve to:

(i) Give authority for the Compulsory Purchase, pursuant to Section 226(i)(b) of the Town and Country Planning Act 1990, of the land edged red shown in Annex 1.

(ii) Agree the use of the New Homes Bonus Reserve to fund the undertaking of the Compulsory Purchase Order and associated work in line with Paragraphs 6.11 to 6.17 and to subsequently reimburse the New Homes Bonus Reserve.

An additional recommendation was also added:

(iii) Adjust the Council's Local Development Scheme to reflect the amended timetable for the Examination and eventual adoption of the Helmsley Plan.

[For 9                      Against 0                      Abstain 0]

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

There was no urgent business.

149 **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.

150 **Update on Appeal Decisions**

Members' were advised of the following appeal decision.

Appeal Ref: APP/Y2736/D/14/2226929 – The Croft, Foston, York, YO60 7QG.