

## Planning Committee

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Held at Council Chamber, Ryedale House, Malton  
Tuesday 25 September 2018

### Present

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Councillors Burr MBE (Substitute), Cleary (Vice-Chairman), Farnell (Chairman), Goodrick, Hope, Jainu-Deen, Maud, Potter, Elizabeth Shields and Windress (Vice-Chairman)

Substitutes: Councillor L M Burr MBE

### In Attendance

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Samantha Burnett (Clerk), Alan Goforth (Planning Services), Gary Housden, Lizzie Phippard (Clerk) and Anthony Winship

### Minutes

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#### 55 Apologies for absence

Apologies were received from Councillor Paul Andrews.

#### 56 Declarations of interest

Councillor	Item
Goodrick	12
Cleary	11
Shields	7
Burr	6
Maud	6
Potter	6
Hope	6

#### 57 Minutes

##### Decision

That the minutes of the Planning Committee held on 29<sup>th</sup> October 2018 be approved and signed as a correct record.

Voting Record  
9 For  
0 Against  
1 Abstention

58 **Urgent Business**

There was no urgent business.

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

The Head of Planning submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

60 **18/00235/73A - Royal Oak Church Street Nunnington**

**18/00235/73A** - Change of use of former pub to form a 5 bedroom private residential dwelling (retrospective).

**Decision**

**The application was refused contrary to officer recommendation -**

Following the vote to refuse the application, the Specialist Services Lead (Head of Planning Services) invoked the cooling off period in accordance with the Council's published constitution, which states the following:

- *Where the Planning Committee indicates that it is minded not to accept the officers' recommendations, the application be deferred to the next Planning Committee where so requested by the Specialist Service Lead.*

Therefore the application would be brought back to the next available meeting for further consideration.

The cooling off period was invoked to enable the Head of Planning Services to report back to the committee on the sustainability of the proposed decision, its impact on policy and any conditions that the committee may wish to impose. The Specialist Services Lead will also be mindful of the extent to which the District Council is at significant risk of having a cost award made against it in the event of an appeal being lodged.

Voting Record

8 For

1 Against

1 Abstention

In accordance with the Members Code of Conduct, Councillors Burr, Maud, Potter and Hope declared a personal, non-pecuniary but not prejudicial interest.

61 **18/00286/MFUL - Land in OS Field 4480 Westfield Way Norton**

18/00286/MFUL - Erection of 27no. light industrial units for B1/B8 use to include a new vehicular access off Westfield Way

**Decision**

Members voted against a movement for deferral.

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

Voting Record

9 For

0 Against

1 Abstention

In accordance with the Members Code of Conduct, Councillor Shields declared a personal, non-pecuniary but not prejudicial interest.

62 **18/00622/MFUL - Ravenswick Swineherd Lane Kirkbymoorside**

**148/00622/MFUL** - Erection of a palm house and garden outbuildings within a walled garden, formation of a boating lake with depositing of resulting spoil evenly on adjacent land and erection of an associated boat house, formation of moon lakes, erection of a brick and stone bridge and 2no. timber bridges over the River Dove, formation of a fenced deer park and associated site landscaping

**Decision**

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

Voting Record

10 For

0 Against

0 Abstention

63 **18/00531/FUL - Land Off Piercy End Kirkbymoorside**

**18/00531/FUL** - Erection of a veterinary surgery with parking and turning areas

**Decision**

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

Voting Record  
9 For  
0 Against  
1 Abstention

64 **18/00771/HOUSE - 32 Bondgate Helmsley**

**18/00771/HOUSE** - Erection of two storey extension to rear

**Decision**

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

Voting Record  
10 For  
0 Against  
0 Abstention

65 **Proposed Acquisition and Disposal of Land for Planning Purposes - Land at Riccal Drive Helmsley**

**Decision**

**The Planning Committee authorise the acquisition of an interest in the Site by the District Council under Section 227 of the Town and Country Planning Act 1990 as amended in order to engage powers under S203 of the 2016 Act for the planning purpose of facilitating the carrying out of the Development (in its current form or as it may be varied or amended) and subsequent disposal of that interest to the Developer (or an associated company) under section 233 of the Town and Country Planning Act 1990 as amended, subject to the Council Solicitor determining in consultation with the Chairman of the Planning Committee:**

**(i) that there is a suitable Indemnity in place; and  
(ii) the terms on which the acquisition and disposal referred to above are to be made.**

Voting Record  
10 For

0 Against  
0 Abstention

In accordance with the Members Code of Conduct Councillor Cleary declared a personal, non-pecuniary but not prejudicial interest.

66 **Council Procedure Rule 32 - Item for Planning Committee Agenda at Request of Councillor Paul Andrews**

To note the following matters raised by Councillor Paul Andrews:-

- (i) The proposed legal challenge by way of judicial review by Paul Andrews of a written ministerial statement of Greg Clark MP, Secretary of State for Business Energy and Industrial Strategy made on 17th May 2018 which outlines the government's current strategy on its exploration and development of on shore shale gas resources; and
- (ii) A report by Councillor Paul Andrews on the North Yorkshire Minerals Plan. A copy is attached.

**Decision**

**The Report was noted**

Voting Record  
10 For  
0 Against  
0 Abstention

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

67 **Any other business**

There was no other business.

68 **List of applications determined under delegated powers**

The Head of Planning submitted for information (previously circulated) a list which gave details of the applications determined by the Head of Planning in accordance with the scheme of delegated decisions.

69 **Appeals**

Members were advised of the following appeal decisions:

APP/Y2736/W/18/3201096 – Land to the south of Back Lane, Harome

APP/Y2736/W/18/3201098 – Land to the south of Back Lane, Harome  
APP/Y2736/W/18/3198404 – Eddlethorpe Grange Farm, Malton  
APP/Y2736/W/18/3200877 – Kirkdale Lodge, Highfield Lane, Nawton

**Meeting closed at 20:14**