



KIRKBYMOORSIDE TOWN COUNCIL

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Minutes of a Planning Committee meeting of the Kirkbymoorside Town Council held at Church House, Kirkbymoorside, on Monday 15th January 2018 at 7.00pm

Present: Councillors A Ashworth, D Chapman, J Coughlan, C Dowie and J Watson.

Also Present: Town Clerk L Bolland and 7 member of the public

Councillor Ashworth opened the meeting and welcomed all present.

P17046 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Cossins and Wells.

P17047 DECLARATIONS OF INTEREST

Cllrs Coughlan and Chapman declared an interest in agenda item 5c due to their association with the Scouts and its close proximity to the North Yorkshire Highways Depot Manor Vale Lane Kirkbymoorside YO62 6EG

P17048 MINUTES & MATTERS ARISING

- a) The minutes of the Planning Committee Meeting held on 18th December 2017 were **approved** and **signed**.
- b) There were no matters arising.

P17049 PUBLIC SESSION

None

P17050 PLANNING APPLICATIONS

- a) 17/01442/HOUSE | Erection of an attached garage | Stablemans Cottage West Lund Kirkbymoorside North Yorkshire YO62 6AW

No Comment

- b) 17/01449/MREM | Erection of 225 dwellings comprising 15no. 5 bedroom, 44 no. 4 bedroom, 90no. 3 bedroom and 22no. 2 bedroom dwellings and 54no. 1 bedroom apartments together with associated landscaping, public open space to include children's play area, highways improvements, a balancing pond and allocation of land for use of the existing primary school. | Land At Westfields New Road to Kirkdale Lane Kirkbymoorside North Yorkshire

The draft submission prepared by the Town Clerk was considered. The committee commended the Clerk for the content of the submission which was approved with a revision to the order of information to address concerns about access first, followed by concerns about the provision of expansion land to Kirkbymoorside Community Primary School landscape, open space, concluding with the overall implications of the proposal, Appendix A.

- c) 17/01450/OUT | Erection of 6no. three bedroom terraced dwellings (site area 0.21ha) - consideration of access, layout and scale | North Yorkshire Highways Depot Manor Vale Lane Kirkbymoorside YO62 6EG

The proposal for the erection of 6no. three bedroom terraced dwellings on part of the site of the former County Council depot on Manor Vale Lane, Kirkbymoorside was considered and it was agreed that the proposal would benefit the site on provision that measures are implemented to reflect the expert advice previously provided in detailed reports and provided it residential development of the site would not be to the detriment of the Kirkbymoorside Town Brass Band.

The Planning Committee would reiterate the observations submitted in response to previous applications 16/01658/OUT, 15/01156/OUT and 15/01156/MOUT for development of the site as the concerns raised remain valid for this application, as follows:

Attention must be drawn to the repeated incidences of surface water flooding in Kirkbymoorside and the impact on existing houses in Manor Vale. Video and photographic evidence of the floods previously submitted to Alan Hunter should be brought to the attention of the Planning Committee.

The introduction of additional impermeable surface areas, would exacerbate the ongoing issues of flooding in Manor Vale, and the detrimental impact that this would have to the existing properties. It is important that the developer addresses the matter of drainage in sufficient detail to allay any fears and a demonstration of suitable surface water management proposals should be provided.

The Planning committee confirmed its support of residential development in principal.

The Planning Committee and members of the public raised concerns at the condition of the site which was closed in 2005/6 and has since been derelict. There are safety concerns for the residents in the vicinity, most of whom are retired, as this is now essentially a slum property and has attracted vandals. The state of the site is a disgrace and the Town Council has made representation to the Health & Safety Executive (HSE), Environment Agency and the Environmental Services at Ryedale District Council and received the following response:

".. from an HSE prospective we would not be concerned with the Old Highways Depot as there is no work activity taking place....if there is asbestos on site you should contact the Environment Agency or Building Control Services who should be able to help in this matter."

Upon contacting the Environment Agency their recommendation was to contact the Environmental Services at Ryedale District Council who provide the following response:

".. unfortunately there is no action that we can take, other that the disused "Portacabins" that are on site there isn't anything that would be of concern to us and the site is well screened and secured."

The Planning Committee agreed to make representation to the relevant authority to explore the feasibility of action against the owner to demolish the buildings and tidy up the site in accordance with application 13/00807/DNO | Demolition of former County Council buildings | North Yorkshire Highways Depot Manor Vale Lane Kirkbymoorside YO62 6EG which was approved in November 2013.

- d) 17/01455/FUL | Change of use of farmstead to form part livery stables and part wedding venue, to include erection of a 1 bedroom timber chalet, a timber yurt/BBQ hut and raised decking, siting of a 2 bedroom static caravan and a shepherds hut and use of field for camping and parking (retrospective application). | Deep Dale Farm House Village Street Keldholme Kirkbymoorside YO62 6LE

Cllr Dowie confirmed that she had attended the neighbouring property on invitation by the property owners and having assessed the access to the farmstead the impact on the neighbouring properties of traffic passing on the track is clearly evident. The concerns raised by members of the public are fully supported.

A member of the public reiterated the access concerns and explained that there are a number of discrepancies on the application with regards to access. Specifically the single track lane which

affords access to the venue is not owned by the applicant. It is not possible to widen the track as this would breach the boundary line and the passing place on the track has been made available by temporary permission given by the neighbouring property owner, in good will, for the sole purpose of allowing vehicles to pass at this point on the track. Additionally, whilst the wedding venue is described as seasonal, access is required throughout the year to the livery stables. The result being movement of vehicles on the single track throughout the year.

The Planning Committee would like to support local businesses and development, however, feel that they are unable to on this occasion for the following reasons:

- i. Access to the site from Gray Lane is via a single track lane and it is too narrow and considerable measures would need to be taken to ensure clear visibility at this access point in order to make it safe. The access is inadequate to accommodate the vehicles required to service the site, most of which are required to make several manoeuvres in order to gain entry from the C20 onto the single track. The result of such manoeuvres has already resulted in damage to the neighbouring property. Furthermore, the volume of vehicular access has resulted in considerable inconvenience to the neighbouring property who have been affected by the associated noise, lights of vehicles shining directly into their property at all hours of the night and subsequent loss of privacy.
- ii. Furthermore, taking into account the refusal of Planning Application 13/01467/OUT at the nearby property of Sunnycroft for reasons of it being outside the development limit, situated in an area of high landscape value and area of special advert control, these characters are shared by this application which is for development on a considerably larger scale than the aforementioned application and has greater implications of access and impact to the neighbouring properties.
- iii. The development has resulted in a significant adverse impact on the existing amenities of neighbouring occupiers by virtue of the scale and over bearing impact in relation to neighbouring properties. As such it is contrary to the provisions of Policy SP20 of the Ryedale Plan – Local Plan Strategy, and the NPPF.

The Planning Committee would like to raise its concern that a development of this scale has been afforded the opportunity to be established in the absence of permission and that this application has been submitted retrospectively.

- e) 17/01494/HOUSE | Erection of a part two storey/part single storey rear extension and terracing of rear garden | 24 Castlegate Kirkbymoorside North Yorkshire YO62 6BJ

No Comment

P17051 PLANNING DECISIONS - The following planning decision was **noted**.

17/01298/HOUSE | Erection of single storey extension to side elevation | 10 Cedar Vale Kirkbymoorside North Yorkshire YO62 6BU **Approved**

P17052 NEXT MEETING

It was noted that the next meeting will be held at 7pm on 19th February 2018 if there are Planning Applications for consideration.

The meeting ended at 7.53 pm.

SignedChairman

Date