

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 9 May 2022

Dear Councillor

Notice of Meeting

Meeting **Council**

Date **Tuesday, 17 May 2022**

Time **2.00 pm**

Venue **Council Chamber, Civic Centre, Stone Cross, Rotary Way,
Northallerton, DL6 2UU**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To: All Members of Hambleton District Council

Note: Members of the press and public are also able to observe the meeting virtually via Teams. Please click on the link on the website or dial 020 3855 5195 followed by the Conference ID: 339 585 972# For further information please contact Democratic Services on telephone 01609 767015 or email committeeservices@hambleton.gov.uk

Agenda

Page No

1. Minutes

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To confirm the minutes of the meeting held on 5 April 2022 (C.31 - C.34), attached.

2. Apologies for Absence

3. Announcements by the Chairman or Chief Executive

4. Verbal Statement of the Leader

5. Question Time

None received.

6. Notices of Motion

None received.

Agenda Item 1

Minutes of the meeting of the Council held at
2.00 pm on Tuesday, 5th April, 2022 at
Council Chamber, Civic Centre, Stone Cross,
Rotary Way, Northallerton, DL6 2UU

Present

Councillor M A Barningham (in the Chair)

Councillor	P Atkin	Councillor	N A Knapton
	P Bardon		C A Les
	G W Dadd		J Noone
	C A Dickinson		B Phillips
	D B Elders		G Ramsden
	Mrs B S Fortune		M S Robson
	B Griffiths		M G Taylor
	R W Hudson		P R Thompson
	D Hugill		D Watkins
	K G Hardisty		S Watson
	P A James		D A Webster
	R Kirk		P R Wilkinson

Apologies for absence were received from Councillors A Wake, A Robinson and Mrs I Sanderson

C.31 **Minutes**

The decision:

That the minutes of the meeting held on 22 February 2022 (C.23 - C.30), previously circulated, be signed as a correct record.

C.32 **Announcements by the Chairman or Chief Executive**

The Chairman presented Long Service Awards to Anne Atkinson; Janine Oyston; and Angela Sunley who had each served 20 years' service with the Authority.

The Chairman also presented Long Services Awards to Irene Christon;; Rob Cullen; Kim Devereux; and Vicky Metcalf; who had each served 30 years' service for the Authority.

C.33 **Statement of the Leader and Referrals from Cabinet**

The Leader moved Cabinet minutes CA.61 (8 March 2022) and CA.65 (5 April 2022) and made a statement to the Council on the following matters:-

- The forthcoming elections in May for the new North Yorkshire Council.

- The Leader reflected in particular on the following achievements of the Council in recent years: the only Council in England to operate two 24/7 leisure facilities; construction of the Treadmills development; the crematorium and Economic Development – making Hambleton a “Place to Grow”.

The Decision:

That the reports, resolutions and recommendations of the following meetings of the Cabinet be received, approved and adopted:-

Body	Date of Meeting	Minute Nos
Cabinet	8 March 2022	CA.61
	5 April 2022	CA.65

C.34 Cabinet Portfolio Statements

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding Business Support (Covid Additional Restrictions Grant); C@N Campus at Northallerton; C4DI in Northallerton and #Discover Hambleton
- (b) Councillor P A Thompson, Portfolio Holder for Leisure made a statement regarding the Sowerby Sports Village; Northallerton Sports Village; Community Grants; Bedale Leisure Centre Developments; Public Sector Decarbonisation Scheme and Leisure Recruitment.
- (c) Councillor M Robson, on behalf of Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding car parks within Northallerton, Stokesley, Bedale, Easingwold and Great Ayton; markets; the Northallerton May Fair; the elections on 5 May 2022 for both the new Authority and parishes and communications.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding Supplementary Planning Documents; Section 106 and Community Infrastructure Levy; Development Management and Nutrient Pollution.
- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding Waste and Street Scene: Garden Waste; diesel prices; the recycling contact; Local Government Reorganisation (Waste, Fleet, Street Scene and the workforce); winter work and Environmental Health: food; new Management Information System; Local Government Reorganisation; Avian Flu; Climate Change: Queen’s Green Canopy and Outreach (local climate groups).

- (f) Councillor M G Taylor, Portfolio Holder for Transformation and Projects made a statement regarding the Maple Park Crematorium; the Treadmills development: construction of the Everyman Cinema and restaurants and schemes for future consideration and development by the new North Yorkshire Council.

The meeting closed at 2.21 pm

Chairman of the Council

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Minutes for Information

Committee	Date	Page
Planning Committee	7 April 2022 12 May 2022	7 To follow
Licensing and Appeals Hearings Panel	13 April 2022	13

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Minutes of the meeting of the Planning Committee held at 10.09 am on Thursday, 7th April, 2022 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

Present

Councillor P Bardon (in the Chair)

Councillor	M A Barningham	Councillor	B Phillips
	D B Elders		A Robinson
	Mrs B S Fortune		M G Taylor
	K G Hardisty		D A Webster
	J Noone		

Also in Attendance

Councillor	P A James	Councillor	R Kirk
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Apologies for absence were received from Councillors B Griffiths and A Wake

P.27 Minutes

The Decision:

That the minutes of the meeting of the Committee held on 10 March 2022 (P.25 - P.26), previously circulated, be signed as a correct record.

P.28 Planning Applications

The Committee considered reports of the Deputy Chief Executive relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Deputy Chief Executive had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Deputy Chief Executive regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the

Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

The Decision

That the applications be determined in accordance with the recommendation in the report of the Deputy Chief Executive, unless shown otherwise:-

- (1) 20/02882/OUT - Outline planning application with access considered for the development of up to 88 dwellings on land at Blind Lane, Aiskew At Store at Old Hatchery, Blind Lane, Aiskew For Blind Lane Land Limited

Permission Granted subject to amendments to the proposed conditions: to restrict access and egress for construction traffic to Blind Lane only; to require construction noise management measures; and to require the adoption of Bluebell Way prior to adoption.

(Ian Prescott, on behalf of Keepmoat Homes, spoke in support of the application).

(Sarah Ryder spoke objecting to the application.)

- (2) 20/01189/FUL - Demolition of former Primary School and residential development comprising 18 dwellings with associated landscaping at Ingleby Arncliffe Church of England VC Primary School Ingleby Arncliffe for Beyond Housing

Permission Granted subject to an amendment to Condition 9 (relating to the Construction Management Plan) to minimise disruption to residents particularly outside standard working hours/days.

- (3) 20/02689/HYB - Hybrid Planning Application comprising: 1) Full planning permission is sought for the demolition of the existing farmhouse and buildings and construction of a commercial development comprising of 21,000sq ft (1951 sq.m) of trade counter space (B8), a 3,777sq ft (351 sq.m) drive thru (E b) and sui generis and associated infrastructure comprising of carparking, landscaping, drainage and construction of an access road (Phase A1) from the Darlington Road to cross enable Phase 1B and 2. 2) Outline Planning Permission is sought for Phases 1B and 2 for the erection of the following: A four pump petrol station with up to 5,000sq ft (465 sq.m) of retail space (Sui generis and ancillary E a). A

drive thru of up to 1,800sq ft (167 sq.m) (E b) and sui generis. Office units of up to 15,000sq ft (1395 sq.m) E g. Industrial units of up to 190,000 sq ft (18,116 sq m) B2 at Land South East of Moor Close, Darlington Road, Northallerton. for Beckwith Knowle Development Ltd.

Permission Granted subject to an additional condition: Prior to commencement of the development hereby approved a biodiversity scheme shall be submitted to and approved in writing by the Local Planning Authority. In accordance with current DEFRA guidance and relevant metric, the scheme shall demonstrate how the development will achieve a measurable net gain for biodiversity including on site provision for habitats. The scheme shall also demonstrate the protection of, and enhancement to, the green infrastructure corridor adjacent to the application site. The development shall thereafter be carried out in accordance with the approved scheme.

(Daniel Martin, on behalf of the applicant, spoke in support of the application.)

- (4) 21/01959/FUL - Construction of 10no dwellings and associated works at Bagby Hall Farm, Bagby for Loxley Homes

Permission Refused as the Committee reached the following conclusions; the proposal would constitute over development; the proposal would have a detrimental impact on the character of the area; the proposed access is too narrow and would result in safety and visibility concerns; the proposed affordable housing does not benefit the immediate locality; the proposed housing mix and lack of bungalows does not comply with policy; the application does not demonstrate a net gain for bio diversity; and the layout and design fails to meet the required standards of Policy E1 (with particular reference to the lack of visitor parking and the siting of the play area)

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, Jonathan Saddington, spoke in support of the application.)

(Sandra Langthorne spoke on behalf of Bagby Parish Council objecting to the application.)

Note: Councillor P James left the meeting at 11.35am.

The meeting was adjourned at 11.35am and reconvened at 1.30pm.

- (5) 21/02282/FUL – Aiskew - Application for the approval of the construction of 82No. dwellings with associated landscape and parking at Land off Northallerton Road, Leeming Bar for Wharfedale Homes

Permission Granted subject to the requirement of a s106 Agreement to secure highway improvements including a pedestrian crossing.

(The applicant, Matthew Gibson, spoke in support of the application.)

- (6) 21/02937/FUL - Alterations to siting and appearance of approved lodges and car parking area, construction of outdoor seating, outdoor beach area, cinema screen and pergola. Internal road layout and all other hard and soft landscaping and associated works at Strawberry Fields, Pannierman Lane, Great Ayton for Mr Platts

Permission Refused

(The applicant's agent, Steven Longstaff, spoke in support of the application.)

- (7) 21/01452/OUT - Application for outline planning permission with all matters reserved for the construction of 5no dwellings at OS Field 4442 West of Easingwold Road, Huby for Mr P and Mrs C Richardson

Item withdrawn

- (8) 21/02851/FUL - Construction of an agricultural workers dwelling at Kirkbridge Farm, Ings Lane, Kirkbridge for Mr and Mrs Mike and Pauline Richardson

Permission Granted

(The applicant, Mike Richardson, spoke in support of the application.)

Note: Councillor R Kirk left the meeting at 2.30pm

- (9) 21/02947/FUL - Alteration and extension to existing garage to create an annex to provide disabled accessible facilities. Extension and alterations to main dwelling and reconfiguration of parking arrangements at 23 Brompton Road, Northallerton for H Hutchinson

Permission Granted

(The applicant, Olivia Webster, spoke in support of the application.)

(Paul Matthews spoke objecting to the application.)

- (10) 21/02098/FUL - Revised application for the removal of UPVC conservatories, extension to form kitchen, dining and living room, installation of 2no solar thermal panels to the South elevation and replacement patio area and new boundary wall at Mowbray Lodge, Bullamoor Road, Northallerton for Mr and Mrs Nell

Permission Granted

(The applicant, Kendra Nell, spoke in support of the application.)

- (11) 21/02178/FUL - Construction of building and sound wall to be used for shredding, storage & distribution of woodchip- Amended documents received 15.01.2022 at North Farm, Skipton Old Airfield, Sandhutton for Mr T Coulton

Permission Granted subject to additional and amended conditions and the delegation to Officers of specified issues as outlined below.

Condition 5 to be amended to: no wood chipping shall take place outside the hours of 08:00 and 17:00 Monday to Friday and at no time on Saturday, Sunday and Bank Holidays.

Additional conditions to restrict the siting of the operation of the mobile chipper and a requirement for a defracting edge on the sound wall.

Matters delegated to Officers include consideration of: an alteration to Condition 6 to restrict distribution only to holdings within control of the applicant; a limit on the number of chipping machines in operation at any one time; clarification from Environmental Health in respect of the noise impact from operation of chipping machinery within the proposed building; and restricting hours for distribution.

(The applicant, Trevor Coultan, spoke in support of the application.)

(Patricia Kane spoke objecting to the application.)

Note: The meeting adjourned at 3.55pm and reconvened at 4.08pm.

- (12) 22/00035/REM - Application for approval of reserved matters (appearance, landscaping, layout and scale) for approved application 20/02791/OUT for the construction of 5No. dwellings at Land on Thornfield Road, Nosterfield for Wharfedale Homes

Permission Refused. The Committee found that the proposed development would have a detrimental impact on the character of the locality and on neighbouring properties due to the site layout and scale and design.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(George Whitley spoke objecting to the application.)

- (13) 22/00129/OUT - Application for outline planning permission with some matters reserved (considering access) for the construction of 4 dwellings at Land north of Carlton Road, Carlton Miniott for Richard Roberts Ltd

Permission Refused. The Committee found that the proposed development was contrary as it would result in the loss of open space that is important to the historic form and layout of the village; and that the proposal would have a detrimental impact on the character and appearance of the village and surrounding area resulting in a loss of countryside that makes a significant contribution to the character of the village.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, Rob Crolla, spoke in support of the application.)

- (14) 21/02977/OUT - Outline application for the construction of one dwellinghouse (with all matters reserved except for access) at Land to the North West of Rose Cottage and Woodman Cottages, Thrintoft Moor Lane, Thrintoft for Mrs Wilkinson & Mrs Laing

Permission Granted subject to additional conditions restricting the building to single storey and a requirement for bio diversity net gain and informatives relating to the siting of the building and the location of the windows to the southern elevation.

(The applicant's agent, Andrew Cunningham, spoke in support of the application.)

(Sandra Good spoke objecting to the application.)

The meeting closed at 5.03 pm

Chairman of the Committee

Present

Councillor R Kirk (in the Chair)

Councillor M A Barningham

Councillor K G Hardisty

LAHP.19 **Application for the Renewal of a Private Hire Vehicle Licence**

All Wards

The subject of the decision:

The Director of Law and Governance asked the Panel to consider whether to grant or refuse an application for the renewal of a private hire vehicle licence in respect of an Audi A8 vehicle registration mark OY59 WLH.

Alternative options considered:

The Panel considered refusing the application but concluded that the specific circumstances of the case were sufficient to justify a departure from the Council's Hackney Carriage and Private Hire Licensing Policy.

The reason for the decision:

The Panel considered the Director's report, the applicant's representations, the Council's Hackney Carriage and Private Hire Licensing Policy and the relevant legislation.

The Panel noted that the vehicle satisfied the mechanical standards as set out in the Council's Policy. However, the vehicle reached the general 10-year age limit (as prescribed at paragraph 3.2.1 of the policy) in September 2019.

The applicant invited the Panel to consider the exceptional circumstances of his case on the basis of the vehicle's quality, appearance, condition and specific reliability features.

The Panel considered photographs of the vehicle which provided a visual inspection. The Panel also considered the vehicle's recent mechanical inspection and MOT history.

The Panel noted that the Audi A8 model was recognised as a luxury vehicle and, having considered the photographs provided by the applicant, the Panel was satisfied that the vehicle appeared to be in good condition.

The Panel considered the vehicle's MOT and inspection history, and the applicant's maintenance records, and was satisfied that the mechanical condition of the vehicle was well maintained. The Panel noted that the last recorded mileage for the vehicle was 140,244. The Panel noted that, since the vehicle was considered 12 months ago, the increase in mileage was fairly low and noted the applicant's explanation that the vehicle was used as a spare for delivering school contracts. The Panel noted that the vehicle has permanent four-wheel drive and was satisfied that such a feature gave greater reliability for passengers, particularly in adverse weather conditions given the rural nature of the district.

The Panel was satisfied that the Council's policy generally opposed the renewal of a licence in respect of vehicles over the age of eight years (or 10 years in the case of vehicles licensed prior to 31st December 2019). The Panel noted that the policy was expected to be applied in most cases, but each application must be considered on its individual merits. The Panel acknowledged that it was entitled to exercise its discretion to allow exceptions where the applicant had demonstrated that the policy objectives could still be met. The Panel was satisfied that the age limit was adopted to promote public safety, to increase reliability and to improve the standard of hackney carriage and private hire services in the district.

Ultimately the Panel was asked to consider whether or not to grant a licence in respect of a vehicle that exceeded the general age limit prescribed by the Council's policy. In conclusion, the Panel was satisfied that the mechanical condition of the vehicle, the quality of the vehicle and its appearance would adequately promote the Council's policy objectives in relation to standards, reliability and safety of licensed vehicles.

The decision:

Taking account of the above and having given appropriate weight to the evidence, the Panel was satisfied that the application could be granted without undermining the policy objectives. Therefore, the Panel decided to grant the application.

The meeting closed at 10.05 am

Chairman of the Panel