

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 6 March 2023

Dear Councillor

**Notice of Meeting**

Meeting	<b>Council</b>
Date	<b>Tuesday, 14 March 2023</b>
Time	<b>2.00 pm</b>
Venue	<b>Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU</b>

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: 320 028 396# For further information please contact Democratic Services on telephone 01609 767015 or email [committeeservices@hambleton.gov.uk](mailto:committeeservices@hambleton.gov.uk)

## Agenda

### Page No

1. Minutes 1 - 4  
To confirm the minutes of the Special meeting and the ordinary meeting held on 13 December 2023 (C.24 and C.25 - C.28), attached.
2. Apologies for Absence
3. Announcements by the Chairman or Chief Executive
4. Verbal Statement of the Leader and Referrals from Cabinet 5 - 8  

Date of Meeting	Minute Nos
7 February 2023	CA.42 to CA.44
5. Cabinet Portfolio Statements
  - a) Verbal Statement from the Portfolio Holder for Economic Development and Finance
  - b) Verbal Statement from the Portfolio Holder for Leisure
  - c) Verbal Statement from the Portfolio Holder for Governance
  - d) Verbal Statement from the Portfolio Holder for Planning
  - e) Verbal Statement from the Portfolio Holder for Environmental Health, Waste and Recycling
6. Question Time  
None received.
7. Notices of Motion  
None received.

# Agenda Item 1

Minutes of the meeting of the Council held at  
2.10 pm on Tuesday, 13th December, 2022 at  
Council Chamber, Civic Centre, Stone Cross,  
Rotary Way, Northallerton, DL6 2UU

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Present

Councillor A Wake (in the Chair)

Councillor	P Atkin	Councillor	B Phillips
	P Bardon		A Robinson
	M A Barningham		M S Robson
	D B Elders		Mrs I Sanderson
	Mrs B S Fortune		M G Taylor
	B Griffiths		P R Thompson
	K G Hardisty		D Watkins
	P A James		S Watson
	R Kirk		D A Webster
	N A Knapton		P R Wilkinson
	C A Les		

Apologies for absence were received from Councillors G W Dadd,  
C A Dickinson, R W Hudson, D Hugill, J Noone and G Ramsden

## C.25 Minutes

### The decision:

That the minutes of the meeting held on 22 November 2022 (C.21 - C.23),  
previously circulated, be signed as a correct record.

## C.26 Announcements by the Chairman or Chief Executive

The Chairman announced that £518 had been raised at a staff fund raiser in support of the Chairman's Charity, the Aortic Dissection Charitable Trust. The Chairman wished to thank Louise Hancock, Heather Mitchell, Jayne Preece and Marion Ward for their support in organising the event and wished to give thanks to all those staff and Members who had supported the charity through their donations.

## C.27 Statement of the Leader and Referrals from Cabinet

The Leader made a statement on the following matters:-

- the opening of the North Northallerton Bridge on Friday, 16 December 2022. Ownership of the road and the bridge would pass to North Yorkshire County Council and this would release CIL funding for Brompton and Northallerton Town Councils, hopefully before Christmas. The Leader wished to thank all those officers and Members for their work that they had put into the project; and

- the Leader provided an update on the progress on the Everyman Cinema on the old prison site development in Northallerton. It was hoped that work would be completed before Christmas and handed over to Moody's for them to complete the project with fixtures and fittings.

The Leader moved Cabinet minutes CA.35 – CA.36

**The Decision:**

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

<b>Body</b>	<b>Date of Meeting</b>	<b>Minute Nos</b>
Cabinet	6 December 2022	CA.35 – CA.36

**C.28 Cabinet Portfolio Statements**

- (a) Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance made a statement regarding Economic Development Projects, namely the Vibrant Market Towns; Investment Plans in Bedale, Easingwold and Stokesley and Great Ayton; Northallerton Heritage Zone and Heritage Hub; Leeming Bar Employment Land, C4Di and the Apprentice Scheme.
- (b) Councillor P R Thompson, Portfolio Holder for Leisure made a statement regarding the Sports Villages; Hardship Relief payments (foodbanks, Warm Spaces Grant Scheme and Discretionary Housing Payment Fund); decarbonisation; Leisure Centres Quest Inspections and Maple Park Crematorium. Councillor Thompson also informed Council of an incident which had taken place at Stokesley Leisure Centre with a customer requiring emergency first aid. The customer made a full recovery and wished to thank staff and the first responders for their involvement.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding Car Parking Improvement Schemes. Councillor Mrs Sanderson outlined those projects that had been completed over the last 12 months, including cashless payments; electric vehicle charging points and improvements to parking bays. Councillor Mrs Sanderson reported on fees and charges. A question was asked regarding the timescale for the installation of electric vehicle charging points in Stokesley and Councillor Mrs Sanderson agreed to provide a written response.
- (d) Councillor D A Webster, Portfolio Holder for Planning made a statement regarding the adoption of the Local Plan which had passed the period of judicial review without challenge; provided an update on the current position regarding the review into Hambleton Gypsies and Travellers Supplementary Planning Document; Development Management recruitment; nutrient pollution. A question was asked regarding nutrient pollution and Council was advised that there would be training provided to Members regarding this subject.

- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding Waste and Recycling, namely that the garden waste collections had now ceased for 2022 but that there would be Christmas tree collections in the New Year; Local Government Reorganisation rebranding for waste collection vehicles; fleet management; reconfiguration of waste collection rounds and Avian Flu which continued to be a national issue.

The meeting closed at 2.45 pm

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Chairman of the Council

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## Decisions to be considered by Full Council on 14 March 2023

Decisions of the meeting of the Cabinet held  
at 9.30 am on Tuesday, 7th February, 2023  
at the Council Chamber, Civic Centre, Stone  
Cross, Rotary Way, Northallerton, DL6 2UU

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Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs I Sanderson		D A Webster
	P R Thompson		

Also in Attendance

Councillor	P Atkin	Councillor	Mrs B S Fortune
	P Bardon		J Noone

### CA.42 **Minutes**

#### **The Decision:**

That the decisions of the meeting held on 10 January 2023 (CA.40 – CA.41), previously circulated, be signed as a correct record.

### CA.43 **2022/23 Q3 Capital Monitoring and Treasury Management Report**

All Wards

#### **The subject of the decision:**

This report provided the quarter 3 update at 31 December 2022 on the progress of the Capital Programme 2022/23 and the Treasury Management position. A full schedule of the Capital Programme 2022/23 schemes was attached at Annex A of the report, together with the relevant update on progress of each scheme.

#### **Alternative options considered:**

None.

#### **The reason for the decision:**

Capital expenditure was intrinsically linked with Treasury Management as the way that the Capital Programme was funded directly affected the Treasury Management arrangements of the Council.

**The decision:**

That Cabinet approves and recommends to Council:-

- (1) the net reduction of £2,348,003 in the 2022/23 capital programme to £19,295,090 and all expenditure movements as detailed in Annex B and also in the capital programme attached at Annex A of the report;
- (2) the decrease of capital expenditure of £2,348,003 be funded from reduced levels of borrowing than previously anticipated in this financial year, offset by additional external grants; and
- (3) the funding allocation to the capital programme as detailed in paragraph 3.1 and 3.2 of the report.

Note: Councillor S Watson arrived at the meeting at 9.31am.

CA.44 **2022/23 Q3 Revenue Monitoring Report**

All Wards

**The subject of the decision:**

This report provided an update on the Revenue Budget position of the Council and the reserve funds at the end of December 2022.

The Deputy Leader of the Council wished to thank the Finance Team for the excellent way the finances of the authority had been managed over the last few years and wished to give specific thanks to the Chief Executive for his financial leadership and his achievements for the authority.

**Alternative options considered:**

None.

**The reason for the decision:**

It was a legal requirement under S25 of the Local Government Act 2003 to set a balanced budget and monitor the financial position throughout the year.

**The decision:**

That Cabinet approves and recommends to Council that:

- (1) the budget remains at £11,366,370 as detailed in paragraph 3.2 of the report for 2022/23;
- (2) budget pressures in 2022/23 are financed by an increase in the transfer from reserves as detailed in paragraph 3.3 of the report; and



- (3) the departmental budget movements as detailed in paragraph 3.7 of the report.

The meeting closed at 9.43 am

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Leader of the Council

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# Agenda Annex

## Minutes for Information

<b>Committee</b>	<b>Date</b>	<b>Page</b>
Cabinet	10 January 2023 7 March 2023	To follow
Scrutiny Committee	26 January 2023	
Planning Committee	22 December 2022 19 January 2023 16 February 2023	
Audit, Governance and Standards Committee	24 January 2023	
Licensing and Appeals Hearings Panel	15 February 2023	

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**Decisions taken under Cabinet authority  
to take effect on 18 January 2023**

Decisions of the meeting of the Cabinet held  
at 9.30 am on Tuesday, 10th January, 2023  
at the Council Chamber, Civic Centre, Stone  
Cross, Rotary Way, Northallerton, DL6 2UU

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Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs I Sanderson		D A Webster
	P R Thompson		

Also in Attendance

Councillor	P Bardon	Councillor	K G Hardisty
	Mrs B S Fortune		J Noone

CA.40 **Minutes**

**The Decision:**

That the decisions of the meeting held on 6 December 2022 (CA.35 – CA.39), previously circulated, be signed as a correct record.

CA.41 **Hustwaite Neighbourhood Plan Area Designation**

Raskelf and White Horse Ward

**The subject of the decision:**

This report sought consideration of a request to designate Hustwaite Parish as a neighbourhood area to enable them to proceed with formal neighbourhood plan preparation. The letter of application was attached as Annex A to the report. A map of the parish was attached as Annex B to the report.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that the legal requirements under Part 2 of The Neighbourhood Planning (General) Regulations 2012 had been complied with and supported the request.

**The decision:**

That Cabinet approves the designation of a Neighbourhood Area for Husthwaite and that the necessary information is published.

The meeting closed at 9.33 am

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Leader of the Council

Present

Councillor K G Hardisty (in the Chair)

Councillor	P Bardon	Councillor	N A Knaption
	P A James		J Noone
	R Kirk		

Apologies for absence were received from Councillors R W Hudson,  
G Ramsden, A Wake and D Watkins.

**SC.10 Minutes**

**The Decision:**

That the minutes of the meeting of the Committee held on 20 October 2022  
(SC.8 - SC.9), previously circulated, be signed as a correct record.

**SC.11 Council Performance 2022/23 (Quarter 2)**

All Wards

The Interim Head of Finance presented a report setting out the Quarter 2  
Performance for 2022/23. The Committee asked a number of questions relating  
to Disabled Facilities Grants and the Maple Park Crematorium which were  
responded to at the meeting and where further information was requested it was  
agreed that the Committee would be provided with this information separately.

**The decision:**

That progress made against the Council Plan for Quarter 2 of 2022/23, as  
detailed within Annex A of the report, be noted.

**SC.12 Review of Risk Management 2022/23 - Q2**

All Wards

The Interim Head of Finance presented the quarterly monitoring report on the  
Corporate Risks, Corporate Project Risks and Service Risks with a net risk  
threshold of 12 or above affecting the Council.

To ensure that strategic risks were appropriately measured and that suitable  
actions were undertaken to mitigate the effect of each risk it had been agreed  
that the Scrutiny Committee would receive a quarterly monitoring report.

The Committee asked a number of questions regarding litter picking which were responded to at the meeting and where further information was requested it was agreed that the Committee would be provided with this information separately. The Committee asked that it be noted that there were a number of really good groups of volunteers who carried out litter picking within the community spread across the District.

**The decision:**

That the quarterly report on the Corporate Risks, Corporate Project Risks and Service Risks with a net risk threshold of 12 or above affecting the Council and the actions that are in place to mitigate the impact upon the Council of each risk be noted.

**SC.13 Chairman's Announcement**

The Chairman announced that this was the last meeting of the Committee prior to the abolishment of the Council on 31 March 2023 and wished to thank the Committee Members and officers, in particular Louise Hancock, Democratic Services Officer, for their continued support.

The meeting closed at 9.53 am

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Chairman of the Committee



Minutes of the meeting of the Planning Committee held at 10.00 am on Thursday, 22nd December, 2022 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

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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
	B Griffiths		A Wake
	K G Hardisty		D A Webster
	J Noone		

Also in Attendance

Councillor	S Watson	Councillor	D Hugill
	M S Robson		

P.19 **Minutes**

**The Decision:**

That the minutes of the meeting of the Committee held on 24 November 2022 (P.17 - P.18), previously circulated, be signed as a correct record.

P.20 **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) 22/01779/FUL - Construction of a single storey extension to existing dwelling. Replacement roof with flat roof to form a balcony at the rear elevation including the installation of French doors to the first floor. Construction of a detached summer house between the existing dwelling and garage at The Gables, Alne Station, York for Mr and Mrs Hutchinson

Permission Granted

- (2) 21/02227/FUL - Full planning application for construction 38no. residential dwellings with associated access, parking, landscaping and infrastructure. Amended Plans received 27.09.2022, 28.09.2022 and 19.10.2022 at Persimmons Phase 3, Land to the south of North Moor Road, Northallerton for Miss Keely Malcom

Permission refused. The Committee had concerns that the noise mitigation measures (in particular the bund and acoustic fence) would have an adverse impact on the character and visual amenity of the area and was not satisfied that those measures would be sufficient to reduce the noise impact to the proposed residential dwellings or to offer a suitable level of protection to the operation of Allerton Steel and the adjacent NHS building. The Committee also had concerns over the lack of provision of affordable housing on site in addition to the provision of suitable car parking spaces close to dwellings for EV charging.

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

- (3) 22/02147/FUL - Demolition of existing all-purpose agricultural building and erection of a new dwelling at School Farm, Lead Lane, Nether Silton for Mr Mike Craddock

Defer to allow for further consideration and discussion on the design of the proposed dwelling particularly relating to the north elevation.

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

(Sandra Langthorne spoke on behalf of Siltons and Kepwick Parish Council objecting to the application.)

(Elizabeth Robson spoke objecting to the application.)

- (4) 22/02052/OUT - Application for Outline Planning Permission with some matters reserved (considering Access, Layout and Scale) for construction of 3no. Dwellings with associated garaging, access and parking at Land Adjacent Ainderby Villa for Mr NMF Jopling

Permission Granted. The Committee was satisfied that the proposed development met policy requirements in respect of sustainable development, housing mix and incremental growth within the village. The Committee concluded that the development would not have a harmful impact on the character or setting of the village.

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

- (5) 22/02051/OUT - Application for Outline Planning Permission with some matters reserved (considering Access, Layout and Scale) for construction of 2no. Dwellings with associated garaging, access and parking at Land to the West of the Old Hall for Mr NMF Jopling

Permission Granted. The Committee was satisfied that the proposed development met policy requirements in respect of sustainable development, housing mix and incremental growth within the village. The Committee found that the proposed development would not have a harmful impact on the character or setting of the village and that the presence of a pumping station near to the site would not have an adverse impact on future inhabitants of the development.

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

Note: The meeting adjourned at 12.06 and reconvened at 1.30pm.

Councillor S Watson arrived at the meeting at 1.30pm

- (6) 22/01486/OUT - Demolition of existing buildings and outline planning application for 4no dwellings (Use Class C3) with all matters reserved except access at Land to the South of Beck Lane, South Kilvington for Roberts / Christon

Permission Refused. The Committee concluded that the proposed access to the site was contrived and that the additional engineering works required to achieve the access would have a detrimental impact on the character and setting of the surrounding area. The Committee had concerns that the access would have an adverse impact on the existing property at the end of Beck Lane. The Committee also had concerns in respect of construction traffic accessing the site, the proximity to the flood plain, the impact the proposed development would have on flooding in the vicinity, sustainability, quality of design and accessibility.

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

(The applicant, Hugh Roberts, spoke in support of the application.)

(Mr David Wright spoke objecting to the application.)

Note: Councillor M S Robson arrived at the meeting at 1.44pm.

- (7) 22/02618/FUL - Change of use from hairdresser to beautician and hairdressers at 1 Sowerby Road, Sowerby for Mr Peter Bardon

Permission Granted

#### **Disclosure of Interest**

Councillor P Bardon disclosed a pecuniary interest as the applicant and left the meeting prior to discussion and voting on this item.

Councillor J Noone in the Chair.

Note: Councillor P Bardon returned to the meeting prior to any discussion and voting on Item 8 on the agenda (Councillor P Bardon in the Chair).

- (8) 22/00166/FUL - Demolition of existing structures and construction of 9no dwellings and associated parking and landscaping at Land to the south of Station Road, Thirsk for Frontline Estates Ltd

Permission Granted

(Yvonne Hewson spoke objecting to the application.)

- (9) 22/00287/FUL - Construction of a dwelling for accommodation of adult with disabilities and comprising additional accommodation for a carer when required at Stamford Farm, West Rounton for Mr and Mrs Gaudie

Permission Granted

(The applicant, Mr William Gaudie, spoke in support of the application.)

Note: Councillor D Hugill arrived at the meeting at 2.45pm.

Councillor S Watson left the meeting at 2.47pm.

- (10) 21/01011/MRC - Variation of Conditions attached to Planning Appeal Application Reference Number: APP/G2713/W/20/3252056 - Application for removal of Condition 1 relating to planning appeal APP/G2713/W/16/3164515 (Hambleton application 16/00262/FUL) - Retrospective application for the use of land as a private gypsy site for one family at Rosie's Ranch, Busby Lane, Great Busby for Mr J Stephenson

Permission Granted subject to an amendment to Condition 1 to further restrict occupation to a single household and additional conditions in respect of external lighting and landscaping.

Note: Councillor D Hugill left the meeting at 3.16pm.

- (11) 22/01955/FUL - Application for Proposed residential development comprising of 2No. bungalows with detached garage[s] at Land rear of Swale Reach, Catton Village, Catton for Mr and Mrs A and S Trueman

Defer to allow for further consideration to seek to reduce the number of bungalows from two (as proposed) to one.

(The applicant's agent, Mr Ken Wood, spoke in support of the application.)

(Mr Barry Walmsley spoke on behalf of Catton Parish Meeting objecting to the application.)

(Linda Mason spoke objecting to the application.)

The meeting closed at 3.45 pm

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Chairman of the Committee

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Minutes of the meeting of the Planning Committee held at 10.00 am on Thursday, 19th January, 2023 in the Council Chamber, Civic Centre, Stone Cross, Rotary Way, Northallerton, DL6 2UU

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Present

Councillor J Noone (in the Chair)

Councillor	M A Barningham	Councillor	B Phillips
	D B Elders		A Robinson
	Mrs B S Fortune		M G Taylor (morning session only)
	B Griffiths (morning session only)		D A Webster
	K G Hardisty		

Also in Attendance

Councillor	P A James	Councillor	S Watson
	M S Robson		P R Thompson
	D Watkins		

Apologies for absence were received from Councillors P Bardon and A Wake.

Apologies for absence were received from Councillors B Griffiths and M G Taylor for the afternoon session which commenced at 1.30pm.

**P.21 Minutes**

**The Decision:**

That the minutes of the meeting of the Committee held on 22 December 2022 (P.19 - P.20), previously circulated, be signed as a correct record.

**P.22 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) 22/02606/OUT - Outline application for all matters reserved for demolition of existing barn and erection of 1 No. dwelling at 8 Catton Village, Catton for Mr A Dodgson

Permission Refused. The Committee found that, having taken into account the existing planning permission for an extension to no. 8, the proposed development would result in over-development of the site and would not meet the requirements of Policy E1 on design as the resulting dwelling would be out of character within the area.

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

(The applicant's agent, Gary Swarbrick, spoke in support of the application).

(Andy Wiggins spoke objecting to the application.)

Note: Councillor P A James arrived at the meeting at 10.16am.

- (2) 21/03042/FUL - Application for Installation of solar photovoltaic ('PV') array/solar farm with associated infrastructure - as amended (additional and revised plans, visualisations and other documents received by Hambleton District Council on 27.06.2022 and 22.11.2022) at OS Field 2700, Carlton Husthwaite.for Woolpots Solar Farm Ltd

Permission Refused subject to an amendment to the second reason for refusal regarding the potential glint and glare from the proposed development and the safety risk this would post to aircraft following the representation from the Civil Aviation Authority.



(The applicant Richard Buffey, spoke in support of the application.)

(The applicant's agent, Chris Sowerbutts, spoke in support of the application).

(Kevin Harrison and Chris Nichols spoke on behalf of Carlton Husthwaite and Husthwaite Parish Councils objecting to the application.)

(Rory Menage and Molly Hill spoke objecting to the application.)

Note: Councillor M S Robson arrived at the meeting at 11.05am.

Councillor P A James left the meeting at 12 noon.

The meeting adjourned at 12 noon and reconvened at 1.30pm.

Councillors P A Thompson and S Watson arrived at the meeting at 1.30pm

- (3) 22/02671/FUL - Siting of a portable building to be used as a community hub at Easingwold AFC, Stillington Road, Easingwold for Easingwold District Community Care Association

Permission Granted subject to an amendment to condition 4 to extend the use of the building until 7pm on any day.

(The applicant, Ms Di Watkins, spoke in support of the application.)

Note: Councillor D Watkins arrived at the meeting at 1.45pm.

- (4) 21/01361/OUT - Outline planning application with some matters reserved (considering access) for the construction of up to 15 dwellings and means of vehicular access as amended by plans received by Hambleton District Council on 01.12.2022 at Land to the East of Birkby Lane, OS Field 4109, East Cowton for B, P & M Twedde

Permission Refused subject to an amendment to the reason for refusal to include reference to the detrimental impact on the character of the settlement in respect of the proposed demolition of no. 3 Birkby Lane.

(The applicant's agent, Stuart Natkus, spoke in support of the application.)

(Elaine Simpson spoke on behalf of East Cowton Parish Council objecting to the application.)

(Alison Wragg spoke objecting to the application.)

Note: Councillor M S Robson and S Watson left the meeting at 2.10pm.

- (5) 22/00786/FUL - Revised application for the construction of a terrace of 3no dwellings with associated garaging and amenity space at Land at West of The Forge, Tollerton Road for Queens Staith Leisure

Permission Granted. The Committee found that the proposal would not constitute overdevelopment and that the provision of three smaller terraced dwellings will better meet the housing requirements of the village and is more in keeping with the character and form of the settlement compared to the single dormer bungalow as previously approved.

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

(The applicant's agent, Matthew Groom, spoke in support of the application.)

Note: Councillor D Watkins left the meeting at 2.50pm.

The meeting was adjourned at 2.50pm and reconvened at 3pm.

- (6) 22/01574/FUL - Construction of 16no. residential dwellings and associated landscaping and infrastructure at Land to the North of Maple Lane, Huby for Mr P Mead

Permission Granted

(The applicant's agent, Philip Mead, spoke in support of the application.)

- (7) 22/01509/OUT - Outline planning application for residential development and associated infrastructure with all matters reserved other than access into the site at land on the South West Side of 11 Harkness Drive, Leeming Bar for Mr Paul Butler

Permission Granted subject to an amendment to condition 3 to refer to Bedale sub area, an amendment to condition 5 to including piling in the construction management plan and an amendment to condition 16 to limit the approval to approximately 85 dwellings.

(The applicant's agent, Paul Butler, spoke in support of the application).

(Bernard Liddle spoke objecting to the application.)

- (8) 21/02870/FUL - Conversion of existing coach house into 3no. dwellings (Use Class C3) and demolition of existing storage buildings to create 2no. new build dwellings (Use Class C3) with associated landscaping and highways improvements along Court House Lane at Stack House Farm, Shipton by Beningbrough for Mr Mike Green

Permission Refused. The Committee found that the proposed development was sited in close proximity to existing farm buildings housing livestock. The Committee considered that the proposed

development was sited too close to the existing farm buildings which houses livestock. Given this, the Committee had concerns that there was a risk of odour and pests with additional fire risk due to storage of hay and straw near residential dwellings.

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

(The applicant's agent, Maria Boyce, spoke in support of the application.)

(Malcolm Galtrey spoke objecting to the application.)

The meeting closed at 4.10 pm

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Chairman of the Committee

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Minutes of the meeting of the Planning  
Committee held at 10.00 am on Thursday,  
16th February, 2023 in the Council  
Chamber, Civic Centre, Stone Cross,  
Rotary Way, Northallerton, DL6 2UU

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Present

Councillor P Bardon (in the Chair)

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

Also in Attendance

Councillor	P A James	Councillor	S Watson
	M S Robson		

Apologies for absence were received from Councillors M A Barningham,  
B Phillips and A Wake

**P.23 Minutes**

**The Decision:**

That the minutes of the meeting of the Committee held on 19 January 2023  
(P.21 - P.22), previously circulated, be signed as a correct record.

**P.24 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) 21/02643/FUL - Construction of 6no poultry buildings, associated infrastructure, attenuation pond, new access track and hardstanding at Land North of Hag Lane, Raskelf for Mr Henry Dent

Defer to obtain further information on the proposals made by the applicant's agent in his verbal representations to the Committee in respect of the use of heat exchange units as an air quality mitigation measure and for further information on the highways and amenity impact.

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

(The applicant's agent, Ian Pick, spoke in support of the application.)

Note: Councillor M S Robson arrived at 10.51am.  
Councillor P A James left the meeting at 11.10am.

- (2) 22/01955/FUL - Application for proposed residential development comprising of 1No. bungalows with detached garage at Land Rear of Swale Reach, Catton for Mr & Mrs A & S Trueman

Permission Granted subject to a condition to retain the existing gravel access track. The Committee was satisfied that the proposed development would not have a detrimental impact on the character of the village and that it met the requirements of Policy E1.

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

(The applicant's agent, Ken Wood, spoke in support of the application.)

(Barry Walmsley spoke on behalf of Catton Parish Meeting objecting to the application.)

(Linda Mason spoke objecting to the application.)

Note: The meeting adjourned at 11.35am and reconvened at 11.40am.

- (3) 22/02156/OUT - Application for Outline Planning Permission [with all matters reserved except access] for the construction of 21 no. dwellings at Land West of Dalton Motors, Dalton for Mr Hugh Roberts

Permission Granted

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

(Mr Wilson spoke objecting to the application.)

Note: Councillor M S Robson left the meeting at 12.04pm.

The meeting adjourned at 12.04pm and reconvened at 1.30pm.

Councillor S Watson arrived at the meeting at 1.30pm.

- (4) 22/01354/FUL – Proposed conversion of redundant building to a residential dwellinghouse at Ayton Firs Manor, Ayton Firs, Green Lane, Great Ayton for Mr N Flintoft

Permission Granted subject to an additional condition relating to biodiversity net gain.

(The applicant's agent, Steve Hesmondhalgh, spoke in support of the application.)

- (5) 22/02397/FUL - Application for the demolition of existing detached house, erection of new detached house, including landscape and driveway improvements. Installation of renewable technology and site habitat enhancements at Alcar Farm, Brownmoor Lane, Huby for Mr and Mrs Whitwam

Permission Granted. The Committee was satisfied that the scale, mass and appearance would not be detrimental to the character of the site.

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

(The applicant, Andy Whitwam, spoke in support of the application.)

- (6) 22/02609/MRC - Removal of condition 5 (Occupation) from previously approved application 05/00577/FUL - Revised application for the change of use of redundant agricultural building to holiday accommodation at Appletree Cottage, Lovesome Hill for Ms B Noda

Permission Granted subject to a condition restricting the permanent residential occupancy of the building to the applicant.

(The applicant's agent, Steve Barker, spoke in support of the application.)

(Michael Heasman spoke objecting to the application.)

Note: Councillor S Watson left the meeting at 2.44pm

- (7) 22/02147/FUL - Demolition of existing all purpose agricultural building and erection of a new dwelling at School Farm, Lead Lane, Nether Silton, Thirsk for Mr Mike Craddock

Permission Granted subject to an additional condition to require the submission of details of the materials and external colour of all windows and doors.

(The applicant's agent, David Boulton, spoke in support of the application).

(Peter Mills spoke objecting to the application.)

Note: Councillor A Robinson left the meeting at 3.20pm.

The meeting adjourned at 3.20pm and reconvened at 3.30pm.

- (8) 22/01117/FUL - Application for continuation of site operations as a petrol station and retail shop (including deli element) to include food preparation area for sale on premises. Alterations to the arrangement for the provision of parking, manoeuvring with turning area at Will and Freddie's, North Road Garage, Shipton By Beningbrough for Mr Thomas Brooke

Defer to allow further consideration of relevant highways matters including signage.

- (9) 22/01288/ADV - Application for advertisement consent for 1No. site entry and 1No. exit non-illuminated signage for existing on-site business at Will and Freddie's, North Road Garage, Shipton By Beningbrough for Mr Thomas Brooke

Application withdrawn.

- (10) 22/02019/FUL - Proposed residential development comprising 35 dwellings (including 1 self-build plot), means of access, site infrastructure and associated landscaping at Land North of Stillington Social Club, York Road, Stillington for Mr D Gath

Permission Granted

(The applicant, Mr D Gath, spoke in support of the application.)

The meeting closed at 3.53 pm

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Chairman of the Committee



Minutes of the meeting of the Audit,  
Governance and Standards Committee held  
at 9.30 am on Tuesday, 24th January, 2023  
at Council Chamber, Civic Centre, Stone  
Cross, Rotary Way, Northallerton, DL6 2UU

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Present

Councillor N A Knapton (in the Chair)

Councillor	P Atkin	Councillor	Mrs B S Fortune
	D B Elders		K G Hardisty

An apology for absence was received from Councillor R W Hudson

**AGS.17 Minutes**

**The decision:**

That the minutes of the meeting of the Committee held on 27 September 2022 (AGS.7 - AGS.16), previously circulated, be signed as a correct record.

**AGS.18 Internal Audit and Counter Fraud Second Progress Report 2022/23**

All Wards

**The subject of the decision:**

The Chief Executive (S151 Officer) presented a report informing Members of progress made on audit work planned and undertaken and counter fraud activity since the last report to the Committee.

**Alternative options considered:**

None.

**The reason for the decision:**

To take account of the statutory requirement under the Accounts and Audit Regulations.

**The decision:**

That the work undertaken by Internal Audit and the Counter Fraud Team in the year to date be noted.

The meeting closed at 10.00 am

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Chairman of the Committee

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Present

Councillor R Kirk (in the Chair)

Councillor C A Dickinson

Councillor D B Elders

**LAHP.7 Exclusion of the Public and Press**

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LAHP.8 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**LAHP.8 Application for the Reinstatement of a Premises Licence and Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor - Spice Restaurant and Bar, 41 Market Place, Bedale, DL8 1ED**

Bedale Ward

**The subject of the decision:**

The Director of Law and Governance submitted a report seeking consideration of an application for the reinstatement of a premises licence and an application to vary a premises licence to specify an individual as designated premises supervisor in respect of Spice Restaurant, 41 Market Place, Bedale.

**Alternative options considered:**

The Panel considered granting the applications but could not do so having concluded that such an approach would be likely to undermine the crime prevention objective.

**The reason for the decision:**

The Panel noted that the applicant did not attend the hearing. The Panel was satisfied that the applicant had been notified of the hearing and was aware of the time, date and location. The Panel noted that the applicant did not request an adjournment and therefore decided to proceed with the hearing in his absence in the public interest.

The Panel considered the applications, the written and oral representations of North Yorkshire Police, the Licensing Act 2003 as amended, the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.

The Panel considered the objection notices submitted by North Yorkshire Police in relation to concerns over the applicant's criminal record and character. The Panel was informed that the applicant had been convicted of four offences related to alcohol and, contrary to requirements under the Licensing Act 2003, he failed to notify the court that he held a personal licence.

The Panel noted that all premises licence holders and designated premises supervisors are expected to take steps to promote the licensing objectives. The Panel also noted that the applicant had not submitted any representations to dispute the view of the police that his appointment as premises licence holder and designated premises supervisor would be likely to undermine the crime prevention objective.

The Panel was concerned by the nature of the applicant's offences, the apparent propensity to re-offend and the failure to comply with licensing requirements in relation to relevant offences.

The Panel was satisfied in light of the evidence provided that the applicant's appointment as premises licence holder and designated premises supervisor would be likely to undermine the crime prevention objective. The Panel therefore concluded on the balance of probability that it was appropriate for the promotion of the crime prevention objective to reject both applications.

**The decision:**

The Panel resolved to reject the application to specify an individual as designated premises supervisor and to reject the application to reinstate the licence.

The meeting closed at 10.25 am

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Chairman of the Panel