

North Yorkshire Council

Development Plan Committee

Minutes of the meeting held on Thursday, 4 September 2025 commencing at 2.30 pm.

Councillor Mark Crane in the Chair plus Councillors Andy Paraskos, Philip Broadbank, Andy Brown, Liz Colling, Kevin Foster, Caroline Goodrick, Hannah Gostlow (as a substitute for Councillor Felicity Cunliffe-Lister), Robert Heseltine, David Hugill, Andrew Lee, Steve Mason, Yvonne Peacock, Subash Sharma, Steve Shaw-Wright (as a substitute for Councillor Bob Packham), Phil Trumper and Robert Windass.

Remote attendance: Councillor Nathan Hull.

Officers present: Natasha Durham (Delivery and Infrastructure Manager), Kate Exley (Planning Policy and Place Officer), St John Harris (Principal Democratic Services Officer) and Glenn Sharpe (Senior Solicitor, Planning and Environment)

Apologies: Councillors Joy Andrews, Alyson Baker, John Cattanach, Felicity Cunliffe-Lister, John Mann and Bob Packham.

Copies of all documents considered are in the Minute Book

12 Apologies for absence

Councillor Joy Andrews
Councillor Alyson Baker
Councillor John Cattanach
Councillor Felicity Cunliffe-Lister (substitute: Councillor Hannah Gostlow)
Councillor John Mann
Councillor Bob Packham (substitute: Councillor Steve Shaw-Wright)

13 Minutes of the meetings held on 16 January 2024 and 17 January 2025

Resolved

That the Minutes of the meetings held on 16 January 2024 and 17 January 2025, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

14 Declarations of interest

There were no declarations of interest.

15 Public participation

There were no public questions.

16 Recommendation on Adoption of the New Settlement (Maltkiln) Development Plan Document

Considered a report of the Corporate Director of Community Development seeking the adoption of the New Settlement (Maltkiln) Development Plan Document accompanied by a presentation by Natasha Durham, Delivery and Infrastructure Manager and Kate Exley, Planning Policy and Place Officer.

Members were advised that:

- the DPD had been progressed to implement Policy DM4 of the adopted Harrogate District Local Plan which identified land in the Green Hammerton / Cattal area as a broad area for growth during the plan period and beyond. Policy DM4 also established the principle for a new settlement there in addition to a broad amount of housing, employment and other development as well as setting out other requirements such as the relocation of an existing horticultural nursery business as appropriate. The resulting DPD set a clear and ambitious thirty-year vision for Maltkiln and a policy framework to guide how it would be developed.
- The policies and proposals in the DPD aimed to create a mixed-use settlement, where people had access to homes, a range of employment types, local services and facilities, public transport and open spaces. This mix of uses was focused around the Cattal rail station and the new local centre enabling the residents to benefit from key walking, cycling and public transport corridors. Maltkiln would deliver as a minimum 3,000 homes and 5ha of employment land, plus additional employment opportunities within the local centre alongside supporting home working and flexible working, including the provision of flexible coworking space within the local centre.
- This vision, in addition to the various stages of plan preparation, consultation and examination, had shaped its overarching objectives and policy framework, which would guide how Maltkiln would be developed. The DPD, once adopted, would form part of the Development Plan for North Yorkshire and would be used in the determination of planning applications in the DPD area. Adoption of the DPD would ensure that Maltkiln was developed in a comprehensive manner, ensuring that appropriate infrastructure was provided and that the vision for a zero carbon settlement was realised.
- Preparation of the DPD had gone through several stages of development and modification before it was submitted to the Secretary of State in March 2024, as was established and approved by Full Council at the submission stage of decision making.
- Since then, the most recent and final stage of plan preparation had been the independent Examination, where the Secretary of State appointed an independent Planning Inspector to assess whether the plan had been prepared in accordance with legal and procedural requirements and if it was sound.
- A key stage of examination included an Examination in Public at the Harrogate Civic Centre, conducted by the appointed Planning Inspector between 17 – 20 September 2024. Interested parties / members of the public were informed of the Inspector's Matters, Issues and Questions (MIQs) to be discussed at the hearings and were invited to submit statements and speak in relation to the MIQs.
- At the request of the Inspector, the Council provided a schedule of proposed main modifications to the DPD, which they considered were required to make the plan

sound. The Council then conducted a 6-week public consultation on behalf of the Inspector relating to the proposed main modifications. The Council received the Inspector's final report on the examination on 7 August, which concluded that subject to the main modifications recommended by him, the DPD was sound, legally compliant and capable of adoption.

- The DPD had been subject to extensive public engagement during each stage of plan preparation, with opportunity for all to get involved. Each stage of engagement had helped to shape the policies and proposals within the DPD.
- Some of the 'Key Modifications' to the DPD resulting from the examination included:
 - i. Revising the indicative layout and boundary as shown on the updated Policy Map and Indicative Development Framework
 - ii. Clarifying the Masterplanning process in relation to development of the new settlement
 - iii. Clarifying how the priorities set by the Climate Change Strategy would be implemented by the DPD's climate change policies (Policies NS4 to NS11);
 - iv. Ensuring that the infrastructure necessary for the delivery of the new settlement was provided in a clear and effective way by inserting a new policy (NS38).
- The revision to the indicative framework and policy boundary was explored in detail in the committee report. In January 2023, the Council was notified that an area of land included within the proposed DPD boundary was no longer available – importantly this land comprised a substantial part of the new settlement as well as the area around Cattal Rail Station which was intended to be the focal point of the settlement. On 12 December 2023 the Executive approved in principle that a Compulsory Purchase Order (CPO) could be pursued as a mechanism to deliver a new settlement at Maltkiln, if an agreement with landowners could not be reached. This granted an appropriate mechanism to secure delivery prior to the Council submitting the DPD for Examination. During the Examination in Public (EIP), Caddick Group wrote to the Council proposing an amendment to the DPD boundary. As outlined in their letter, this amendment would ensure that delivery of the earlier phases of development would not be dependent on further negotiations and/or CPO and would facilitate the re-location of an existing plant nursery business (Johnsons of Whixley) within a timely manner. This amendment, along with the in principle decision that the Council was willing to use its compulsory purchase powers, if necessary, assisted in demonstrating that Maltkiln remained deliverable (and therefore sound), and was addressed and agreed in the Inspector's Report on the examination.
- Through the DPD and proposed modifications, in line with the revision to the policy boundary, the Council had met its legal requirements in relation to the Sustainability Appraisal and Habitats Regulations Assessment. Therefore, in accordance with the relevant legislation the Council was able to adopt the DPD incorporating the main modifications recommended by the Inspector.

Reference was then made to a letter of representation dated 1 September 2025 from Stuart Vendy, Director of Veritas Planning Ltd which had been circulated to the committee. In respect of his client's continued opposition to releasing a substantial proportion of the land required to deliver the proposed new settlement, Mr Vendy highlighted that the Inspector in his report had made no assessment of the relative sustainability of the partially delivered settlement if the compulsory purchase of his client's land were unsuccessful. He contended that an in principle resolution to use CPO powers did not provide certainty that those powers would be available. Further, the unavailability of his client's land was not considered

in the Sustainability Appraisal which Mr Vendy felt should have addressed the possible implications for developing sustainably a new settlement in this location without his client's land. In response, the Delivery and Infrastructure Manager advised that the letter had been reviewed by officers and in summary, it was not considered that there was any merit in any of the arguments made. In terms of the deliverability of Maltkiln and the prospects for a successful Compulsory Purchase Order (CPO), as detailed in reports taken to the Executive and discussed during the Examination in Public (EIP), the Council had received legal advice which suggested that there was a compelling case for CPO if necessary and therefore there was no 'error' to be addressed in the officer report. The Inspector had concluded that the unavailable land was a valid part of the overall allocation and as such its inclusion within the new settlement remained justified. The issue of whether the Sustainability Appraisal (SA) was flawed and/or should have included an option that did not include Mr Vendy's client's land was again rehearsed during the EIP and was addressed by the Inspector in his report. The Council believed the SA process has been conducted satisfactorily and an Independent Inspector had agreed. Mr Vendy and his client may take issue with the outcome of the EIP and the findings outlined in the Inspector's Report, however there was no evidence to suggest that the necessary processes for either the DPD preparation or EIP had not been followed fairly and correctly. Members were therefore advised that there was nothing within this letter that altered the recommendation to adopt the DPD.

Turning to the Council's land interests in the site, members were reminded for transparency that the Council did have an interest in land within the adoption Draft DPD as the beneficiary of restrictive covenants on land known as New Farm, York Road, Green Hammerton (sold in 2003) and Sunny Bank Farm (sold in 2000). This was not material to consideration of whether the DPD should be adopted and no regard should be had to this matter. Further, members were advised that regarding this matter there was no conflict of interest for them provided they maintained an open mind and considered the report on its merits alone.

Members then discussed the report and presentation and asked questions.

In response to their questions, members were advised that:

- Revisions to the indicative framework, policy boundary and access points to the settlement meant that delivery of the earlier phases of development would not be dependent on further negotiations with Mr Vendy's client and/or the CPO. The Maltkiln settlement was a long-term development and circumstances may change in future years. The parcel of land in question was made available during the Harrogate Local Plan process.
- The Council had received advice from counsel that there was a compelling case for a CPO. However, a contested CPO could entail a long and drawn out legal process.
- In respect of North Yorkshire Council's ambitious annual housing target of over 4000 units a year, the proposed DPD document covered a very specific area. Planning applications for housing outside that area would be considered on their own merits in accordance with planning policy. In terms of the annual housing target, Maltkiln would only deliver incrementally as it would be developed in a number of phases.
- In respect of sewerage capacity for the new development, regular meetings were already underway with Yorkshire Water to ensure that the requirements for a scheme of this scale were factored into long term infrastructure planning. Consideration was being given to nature-based solutions as part of this.
- In terms of climate change and sustainability the proposed DPD was more ambitious than the existing Local Plan. The Climate Change Strategy established principles

and an energy hierarchy which allowed for the adoption and delivery of new evolving technology including collective energy solutions at scale.

Resolved that the committee

- i. propose to the Executive that they recommend to full Council that the New Settlement (Malkiln) DPD and accompanying Policy Map, incorporating the Inspector's recommended Main Modifications, are adopted.
- ii. propose to the Executive that they recommend to Full Council that the Corporate Director of Community Development in consultation with the Executive Member for Open to Business, be authorised to make further additional modifications to the documents. Those modifications may relate exclusively to factual updates, grammatical and formatting corrections.

Voting Record

A vote was taken and the motion was declared carried with 15 for and 1 abstention.

17 Any other items

With the permission of the Chair, Councillor Andy Brown addressed the meeting voicing his concern that the committee should meet more often to consider the emerging the Local Plan, and citing the example of the recent Issues and Options public consultation which he felt was flawed and could have benefitted from the input of the committee.

The meeting concluded at 3.23 pm.