

# North Yorkshire Council

## Richmond (Yorks) Area Planning Committee

Minutes of the meeting held on Thursday, 14 May 2026 commencing at 11.00 am.

Councillor David Webster in the Chair. plus Councillors Bryn Griffiths (substitute for Councillor Hugill), Heather Moorhouse, Kevin Foster, Angus Thompson and Steve Watson.

Officers present: Frances Maxwell, Solicitor; Fiona Hunter, Development Management Team Manager; Natalie Scholey, Principal Planning Officer, Jayne Applegarth, Commons Registration Officer; Jo Gaythorpe, Commons Registration Officer and Vicky Davies, Senior Democratic Services Officer.

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### Copies of all documents considered are in the Minute Book

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#### 46 Apologies for Absence

Apologies for absence were received from Councillor Hugill (substitute Councillor Griffiths) and Councillor Sedgwick.

#### 47 Minutes for the Meeting held on 3 March 2026

The minutes of the meeting held on Thursday, 3 March 2026 were confirmed by Members and signed by the Chair as an accurate record.

#### 48 Declarations of Interests

There were no declarations of interests.

#### 49 **ZB25/01909/FUL - Demolition of existing building and erection of a 66 bed care home for the elderly (use Class C2) with associated access, parking, landscaping and ancillary buildings at Civic Centre, Stone Cross, Rotary Way, Northallerton, North Yorkshire DL6 2UU on behalf of LNT Care Developments Ltd.**

Considered :-

The Head of Development Management – Community Development Services sought determination of a planning application for demolition of the existing office building and the erection of a 66no. bedroom care home for the elderly (use Class C2) with associated access, parking, landscaping and ancillary buildings at Stone Cross Civic Centre, Rotary Way, Northallerton.

The application had been brought to Planning Committee as the current landowner was North Yorkshire Council.

The Principal Planning Officer drew Members' attention to an update report which included details that the applicant had agreed to including specifying the use of the proposed care

home, by ensuring that elderly C2 care is secured via the S.106 Agreement. This was in addition to condition 3, which was proposed to also be re-worded to ensure reference is made to the care home element. For consistency it was also proposed to re-word the trigger points of conditions 12, 17 and 25.

The update report also set out a further consultee response from the MOD and two public comments. The MOD confirmed that the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. They also had no objections to the proposed development.

In relation to the public comments, concern was expressed about the current wildlife at the site, particularly the numerous rabbits and how they would be protected during development. The case officer explained that rabbits were not routinely surveyed as a stand-alone species or protected but that there was a recommended condition for a construction ecological management plan (CEMP) to be submitted before development commenced. The CEMP condition would cover rabbit under mobile species and this would need to explain avoidance and mitigation of harm to mobile species as inhumane treatment of any mammal would potentially be a criminal offence.

The applicant's agent, Claire Howes, spoke in support of the application.

The Committee were generally supportive of the principle and quality of the development noting it met a growing need for care facilities in the area.

However, parking provision was the main issue repeatedly raised, including:

- Concerns that 25 parking spaces may be insufficient given staff numbers, visitors and service vehicles.
- Reliance on nearby public parking which may not be guaranteed long term.
- Questions about the balance of disabled and EV spaces within the total.
- Acknowledgement that access by public transport, walking and cycling is available but may not fully offset demand.

Despite some reservations, it was considered that the benefits outweighed parking concerns as adjacent parking and sustainable transport options helped mitigate the issue.

It was proposed by Councillor Kevin Foster and seconded by Councillor Angus Thompson that the application be approved as recommended in the officer's report and the update report.

#### **Decision:**

That full planning permission be GRANTED for the demolition of the existing office building and the erection of a 66.no bed care home for the elderly (use class C2) with associated access, parking, landscaping and ancillary buildings, subject to conditions detailed in the Committee report and amendments to condition 3, 12, 17 and 25 as set out in the officer update report and subject to prior completion of the legal agreement to secure the use of the building for elderly C2 care and ensure a contribution is secured for £32,754.00 towards improving and expanding healthcare facilities in the local vicinity and £5,000 towards Travel Plan monitoring.

#### Voting Record

A vote was taken and the motion was declared carried with 4 for and 2 abstentions .

## **Tanfield.**

Considered –

The Corporate Director of Environment submitted a report seeking determination of an application to register new land as an addition to existing registered common land at Courby Hill, West Tanfield. The application was before the Planning Committee as there remained unresolved objections to the registering of the land.

Under the provisions of the Commons Act 2006, North Yorkshire Council is a 2014 Commons Registration Authority (CRA) and responsible for maintaining the Registers of Common Land and Village Greens for North Yorkshire.

Applications made under the 2006 Act for remedying non-registration or mistaken registration under the Act of 1965 had to be made on or before:

1. 31 December 2020 where the application is to an original registration authority; and
2. 15 March 2027 where the application is to a 2014 registration authority.

An application had been made by The Open Spaces Society on 30 March 2021 and was duly accepted as being made on 7 April 2021. The application sought to register common land, adding to the existing register. The application was supported by historical evidence, namely a 1929 Deed made under S.193 of the Law of Property Act 1925.

The application met all the required legal criteria and Members were advised that the decision should be based on whether those statutory tests were satisfied rather than on wider public benefit.

Two representations had been received objecting from the Tanfield Lodge Estate and the Highway Authority. The landowner questioned the practical benefit of registration and the Highway Authority raised concerns that registering the land could restrict or complicate future highways work as permissions might be required.

Members discussed the uncertainty over the purpose and value of registering the land and the implications for safety and accessibility due to its location at the side of the road.

A motion to approve the officer recommendation to grant the application was proposed by Councillor Bryn Griffiths and duly seconded by Councillor Kevin Foster. A vote was taken and lost with 2 for approval and 4 against.

A motion to refuse the application, against officer recommendation, was proposed by the Chair Councillor David Webster and formally seconded by Councillor Angus Thompson and put to the vote.

## **Decision –**

That the application be REFUSED for the reasons set out below:

- Implications for highway safety and accessibility due to its location at the side of a busy A road and the potential constraints on works to the drainage pipe running down the full length of the strip of land.
- The Highway Authority had objected to the application as it was considered to be a public highway verge with a highway drain running down the full length of the application area. Furthermore, they did not wish public highway to be registered as common land as any future highways works which were not temporary or of short duration may require permission to be sought from the Secretary of State or, in

some cases may require a deregistration application to be made.

Voting Record

A vote was taken and the motion was declared carried with 4 for refusal and 2 against.

**51 Any other items**

There were no urgent items of business.

**52 Date of Next Meeting**

Thursday, 11 June 2026 at 10.00am at either County Hall, Northallerton or Mercury House, Richmond.

The meeting concluded at 11.44 am.