

# North Yorkshire Council

## Strategic Planning Committee

Minutes of the meeting held at County Hall, Northallerton on Tuesday, 11 March 2025 at 10am.

### Present:-

Councillors Andy Paraskos (Chair), Eric Broadbent (as substitute for Bob Packham), Andy Brown, John Cattanach, Caroline Goodrick (as substitute for John Mann), Hannah Gostlow, David Hugill, George Jabbour (as substitute for Richard Foster), Tom Jones, Andrew Lee, John McCartney, Neil Swannick, Roberta Swiers, Andrew Timothy and Angus Thompson (as substitute for Yvonne Peacock).

Apologies were received from Councillors Richard Foster, John Mann, Bob Packham and Yvonne Peacock

Other Members – Councillor Tim Grogan (speaking on an application).

Officers present: Nick Turpin, Jenny Crossley, Catriona Gattrell, Alexandra Robinson and Steve Loach

There were 6 members of the public.

---

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

---

#### 97. Minutes of the meeting held on 30 January 2025

##### Resolved -

That the minutes of the meeting of Strategic Planning Committee, held on 11 February 2025, be confirmed by Members and signed by the Chair as a correct record.

#### 98. Declarations of Interest

There were no declarations of interest.

#### 99. ZG2023/1271/FULM - Erection of solar farm together with ancillary development thereto at Hillam Grange, Austfield Lane, Hillam, West Yorkshire, LS25 5NQ

##### Considered -

The report of the Assistant Director of Planning – Community Development Services requesting Members to determine a planning application for the erection of a solar farm together with ancillary development thereto at Hillam Grange, Austfield Lane, Hillam.

The application was reported to Committee due to the application being defined as a departure from the adopted Development Plan for which the Secretary of State must be consulted and where it was intended to recommend approval.

A Planning Officer presented the Committee report highlighting the proposal; the site

location, viewpoints and description; the context to the application; planning guidance; and policy and planning considerations. The report also provided a conclusion and recommendation.

An update to the report had been published and outlined:-

- A further letter of representation from the 'Together in Hillingham and Monk Fryston' Group
- Correspondence from an objector and responses to the issues raised
- Updates to the wording of conditions 2, 7, 9 and 18.

Councillor Tim Grogan, the Divisional Councillor, addressed the Committee in respect of the application highlighting the following:

- He was opposed to the application
- He considered it to be inappropriate development in the Green Belt
- Over 70% of best, most versatile agricultural land would be used for the development. This should be protected in respect of food security.
- The report was contradictory and confusing.
- The impact of the development has been played down in some parts of the report.
- The views of some consultees had not been taken account of.
- The visual impact of the proposals would be detrimental to the area.
- There was undue pressure to provide this development due to the proximity of the site to the grid.
- This would have a detrimental effect on the surrounding countryside and, therefore, should be refused.

A statement from Hillam Parish Council was read out by the Clerk highlighting the following:-

- Their strong objection to the application
- The development was in the green belt and was of no direct benefit to residents
- The application relating to the connection to Ferrybridge power station should be heard at the same time as this application as the connection would create significant disturbance to the local residents.
- The Parish Council disagreed with the report stating that they thought the application was "well thought out"

The applicant, Chris Atkinson of Noventum Power, addressed the Committee highlighting the following:-

- The proposal was in accordance with the Climate Emergency and the need for additional clean energy
- Such developments were providing an answer to these serious concerns
- The report was clear and appropriate, providing the relevant details for the proposal and clear conditions in respect of the development to assist with the protection of the local community
- It was not a simple process identifying appropriate sites for solar farms as they had to be near to a grid connection and not have a major impact on the surrounding area
- The proposal would make a major contribution towards 'Net Zero' by 2030 and would assist in reducing the reliance on imported energy.

Members considered the application and the following issues were highlighted:-

- It was noted that sheep grazing was proposed for the site following the installation of the solar panels, however, this did not appear in the list of conditions. In response it was stated that a condition requiring sheep grazing on the land would not meet the test for conditions set out in paragraph 55 of the NPPF, but the Applicant has advised this would take place subject to subsequent interest and agreement with local sheep farmers.
- It was clarified that the application would not need to be referred to the Secretary of State should Members refuse the application.
- Members discussed the use of best, most versatile agricultural land at the application site. It was clarified that this type of land related to 70.8% of the application site. It was also outlined that the site was close to the boundary of the green belt.
- The connection to the grid would take place at a sub-station situated at Ferrybridge power station. Consent for the connection infrastructure would be applied for and consulted on at a later date; or, if delivered by the local Distribution Network Operator (DNO) could be carried out using their permitted development rights.
- A Member queried the sequential testing of the site as it appeared that the assessment of the site had been accepted by Planning Officers and it was asked whether all options had been fully explored. In response it was stated that the applicant had identified the site, but, given the proximity to the grid, it was considered to be the most appropriate site for the facility in that area. Locating the development further away from the grid would increase the loss of energy when transferring from the site to the sub-station which would see the project becoming unviable. It was emphasised that there was no information available regarding the availability of an alternative site that would promote this viability.
- Clarification of the expected hedgerow provision around the site was provided although it was emphasised that full details of this would be provided at a later stage.
- A Member stated that he believed that there was no further capacity for energy at the Ferrybridge power station, however, it was noted that connection to that facility had already been agreed.
- A Member highlighted the difficulty in balancing the positives and negatives of the application and was completely convinced that the very special circumstances for development in the green belt were met.
- It was emphasised that the need to address the Climate Change emergency was an important factor when determining such applications, and there would be many more such developments required, and the overwhelming need for these tipped the balance in favour of the application. This was supported by another Member who emphasised the need to end the reliance on imported energy given the difficulties emerging worldwide.
- There was a difficulty in determining a balance between the provision of clean energy and preserving good quality agricultural land for the provision of food.
- Concern was expressed regarding the proliferation of green energy schemes in that particular area of the County and the need to ensure that everything was not located in the same place as that would have a negative impact on those communities.
- A number of similar applications were likely to be submitted for consideration and energy security would be at the forefront of those. Meeting the climate challenge was a major policy of the Council which would encourage these applications. Members were required, therefore, to be careful when considering the location of these developments. This application would use best quality agricultural land and was situated on the green belt and the sequential testing undertaken did not

appear to have been rigorous.

- Issues relating to the effect on the condition of the land and the feasibility of grazing sheep on the land with the solar panels in situ were discussed.
- Officers highlighted the likelihood of the application being submitted for appeal, should it be refused, and the strong chance of an appeal being upheld given recent case law and appeal decisions. Members emphasised the need to judge the application on its merits rather than the likelihood of an appeal, which was not considered to be a material planning matter.

A proposal to approve the application, in line with the recommendation in the report, subject to the published amended conditions was seconded, and voted upon:-

Voting record

6 for

9 against

A proposal to refuse the application because the very special circumstances for development in the green belt had not been demonstrated, the proposals would result in the loss of 70% of best, most versatile agricultural land at the application site and the development would not prevent encroachment into the countryside which was the purpose of the green belt.

**Resolved –**

That the application be **REFUSED** because the very special circumstances for development in the green belt had not been demonstrated, the proposals would result in the loss of 70% of best, most versatile agricultural land at the application site and the development would not prevent encroachment into the countryside which was the purpose of the green belt.

Voting record

10 for

5 against

Councillors John Cattanach and George Jabbour left the meeting at this stage.

- 100. Affordable housing provision on 3 planning applications in the West Harrogate project area which have been reported to Strategic Planning Committee in recent months: 20/01706/EIAMAJ - an amendment to the previously reported affordable housing condition on application 20/01706/EIAMAJ at land off Whinney lane, Harrogate and a clarification and amendment to the previously reported planning self a clarification and amendment to the previously reported planning self and custom build planning condition on application 20/01706/EIAMAJ on land at Whinney Lane/18/05202/EIAMAJ - previously reported affordable housing condition on at land off Lady Lane and Whinney Lane, Harrogate and amendment to the previously reported planning self and custom build planning condition on application 18/05202/EIAMAJ on land off Lady Lane and Whinney Lane, Harrogate/22/01558/EIAMAJ - amendment to the previously reported affordable housing condition on on land between Beckwith Head Road, Otley Road, Howhill Road and Howhill Quarry Road, Harrogate**

Considered -

The report of the Assistant Director of Planning – Community Development Services requesting Members to determine an amendment to the previously reported affordable housing condition on application 20/01706/EIAMAJ at land off Whinney lane, Harrogate; application 18/05202/EIAMAJ at land off Lady Lane and Whinney Lane, Harrogate; and application 22/01558/EIAMAJ on land between Beckwith Head Road, Otley Road, Howhill Road and Howhill Quarry Road, Harrogate and to determine a clarification and amendment to the previously reported planning self and custom build planning condition on application 20/01706/EIAMAJ on land at Whinney Lane; and application 18/05202/EIAMAJ on land off Lady Lane and Whinney Lane, Harrogate, North Yorkshire.

The report was brought before the committee because the amendments relate to material changes in strategic applications that form part of a wider 'urban extension' to the West of Harrogate which is included within the West of Harrogate Parameters Plan (WHPP). The purpose of bringing these matters under one report was to continue the aligned, holistic approach for the West Harrogate Project set out in the Harrogate District Local Plan and the WHPP.

A Planning Officer presented the Committee report highlighting the proposed alterations to the previous approvals; the site locations, viewpoints and descriptions; the context to the applications; planning guidance; and policy and planning considerations. The report provided conclusions and recommendations in relation to the proposed amendments. It was noted that subsequent to the previous approvals none of the S106 agreements had been signed and completed, therefore, no decision notices had been issued in relation to the 3 applications. Should Members be minded to approve the planning condition changes these would be incorporated and issued on the relevant decision notices following completion of the S106 agreements.

Members considered the report and the following issues were highlighted:-

- Members expressed disappointment regarding the reduction in the percentage of affordable housing that was being requested. It was explained that the transfer value of the properties had increased significantly which had led to a significant increase in costs for the developer. As the developer was entitled to obtain a certain level of return it had been agreed that a reduction in the percentage of affordable housing would retain the viability of these projects.
- A level of self-build and smaller development had been included in the amendments to offset some of the concerns regarding a reduction in the percentage of affordable housing.
- It was suggested that further negotiations should be undertaken with the developer in an attempt to raise the percentage of affordable housing provided from that indicated within the report. In response it was noted that the levels stated accorded with the appropriate policies, therefore, it would be difficult to renegotiate this position.
- A number of Members were opposed to the amendments and it was proposed and seconded that these be refused, but the 5% self-build aspect of the revised scheme be retained.
- Other Members considered that further negotiation should be undertaken with the developer to try and increase the percentage level of affordable housing before a decision was made and it was proposed and seconded consideration of the amendments be deferred to allow this to happen.
- A Member proposed support for the Officer recommendations within the report but considered that further discussions were required with the developer to explore the provision of solar panels, the provision of ground source heat pumps and the type of stone used to ensure that it was conducive with the existing stonework in Harrogate. The proposal was seconded.

- It was noted that a separate decision for each of the 3 applications covered in this report should be made to ensure the autonomy of the application decisions.

The three recommendations were as follows:-

1. That planning permission be granted on 20/01706/EIAMAJ subject to amending conditions 33 and 47 to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 13.08.2024.
2. That planning permission be granted on 18/05202/EIAMAJ subject to amending conditions 41 and 55 to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 08.10.2024.
3. That planning permission be granted on 22/01558/EIAMAJ subject to amending condition 38 in relation to affordable housing to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 10.12.2024.

A vote was taken separately on each of the recommendations in respect of each of the proposals highlighted above.

In respect of the proposal that further negotiation should be undertaken with the developer to try and increase the percentage level of affordable housing before a decision was made with consideration of the amendments deferred to allow this to happen voting for each of the recommendations was as follows:

1. 4 for  
7 against  
2 abstention
2. 4 for  
7 against  
2 abstention
3. 4 for  
7 against  
2 abstention

In respect of the proposal to refuse the amendments detailed in the report but retain the 5% self-build aspect of the revised scheme voting for each of the recommendations was as follows:

1. 3 for  
9 against  
1 abstention
2. 3 for  
9 against  
1 abstention

- 3. 3 for  
9 against  
1 abstention

**Resolved –**

- 1. That planning permission be **GRANTED** on 20/01706/EIAMAJ subject to amending conditions 33 and 47 to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 13.08.2024.

Voting record

- 10 for
- 2 against
- 1 abstention

- 2. That planning permission be **GRANTED** on 18/05202/EIAMAJ subject to amending conditions 41 and 55 to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 08.10.2024.

Voting record

- 10 for
- 2 against
- 1 abstention

- 3. That planning permission be **GRANTED** on 22/01558/EIAMAJ subject to amending condition 38 in relation to affordable housing to read as listed below. Subject to completion of a S106 agreement and all other planning conditions remaining as previously reported to Strategic Planning Committee on 10.12.2024.

Voting record

- 10 for
- 2 against
- 1 abstention

**101. Other Urgent Business**

There was none.

The meeting concluded at 12.10pm