



Tockwith with Wilstrop Parish Council

North Yorkshire

www.tockwith.gov.uk

Clerk email: parish.clerk@tockwith.gov.uk

Minutes of the Ordinary Meeting of Tockwith with Wilstrop Parish Council (TWWPC) held at 6:30pm on Monday 24 August 2026 at Tockwith Village Hall, 1 Marston Road, Tockwith, YO26 7PR.

Present: Cllr Arnold Warneken (Chairman), Cllr Alex Marsh, Cllr Stuart McHenery, Cllr Simon Blake, Cllr Kriston Wright, Cllr David Cunningham, Cllr Debra Cumming.

Apologies: None.

Guests: County Councillor Andy Paraskos.

In attendance: Fiona Vicary, Clerk to the Parish Council.

Two members of the public were in attendance.

MINUTES

65. Apologies

- i) To note any apologies received
None received.
- ii) To approve any reasons for absence submitted for consideration
None received.

66. To Note any Declarations of Interest

- i) To note declarations of interests not already declared under members Code of Conduct or members register of Disclosable Pecuniary Interests (DPI) in the business to be transacted at this meeting
Cllr Warneken declared a potential interest in planning as he has submitted land in NYC's call for sites.
- ii) To approve any dispensation requests received
None received.

67. Public Open Forum

Two members of the public were present at the meeting.

The following issues were raised:

- As there is not a water supply at the Bridlepath allotments, a resident requested funding for industrial bulk containers to harvest water.

The Chairman moved item 78iv) to this point in the agenda for consideration.

68. County Councillor Reports

- i) To receive reports from North Yorkshire County Councillors Warneken and Paraskos
None received.

69. Minutes

- i) To approve the minutes of the Ordinary Meeting of Tockwith with Wilstrop Parish Council held 27 July 2026

RESOLVED: That the minutes of the Ordinary Meeting of Tockwith with Wilstrop Parish Council held 27 July 2026 be approved as true and accurate record of that meeting.

70. Finance

- i) To approve payment of invoices

Payee	Description of goods/services	Total Value:
Fiona Vicary	Clerk Salary & WFH Allowance	£1198.74
Fiona Vicary	Clerk Expenses	£20.90
Newtons Solicitors	Professional Fees Conveyancing for land at PRD	£2,600.00
Village Hall Management Committee	Utility Grant	£27.74
Cardinus	Village Hall Reinstatement Cost Assessment	£696.00
The Yorkshire Green Team	Grass Cutting	£1,320.00
YLCA	Training – Clerk	£40.00
Stuart McHenery	Expenses – Cleaning Equipment	£24.35
Nest Pension	Employer Pension	£31.88
O2	Mobile Phone	£17.71
Unipass	Village Hall locking system maintenance	£9.00
		£5,986.32
Receipts		
Lloyds Bank	August 2026 Interest	£62.00
Monta	EV Charger Income	£27.74

RESOLVED: To approve the payments with immediate effect.

- ii) To approve a bank reconciliation to 31/07/2026

RESOLVED: That the bank reconciliation to 31/07/2026 be approved. The Parish Council's bank balance as at 31/07/2026 is £119,491.22.

- iii) To note receipts and payments against 2026/27 budget
Noted.

- iv) To approve training requests

None received.

- v) To consider the insurance offer received for the damage to the village hall car park and the use of S106 money for the balance

The insurance offers were discussed.

RESOLVED: To accept the following offer from Zurich:

Gabby Construction had quoted £16,200.00 plus VAT to re-surface the entire car park. The offer of settlement is in the sum of £8,100.00 plus VAT (subject to policy excess), which is intended to reflect the re-surfacing of 50% of the full car park area.

RESOLVED: To request S106 money allocated to Tockwith Village Hall to pay for the balance of the resurfacing project.

- vi) To consider the quotes for insurance

RESOLVED: To accept the insurance quote from Zurich for £2,214.14 for 2026-2027.

- vii) To approve Terms of Reference for the S106 and Community Infrastructure Levy (CIL) Working Party

RESOLVED: To approve the Terms of Reference for the S106 and Community Infrastructure Levy (CIL) Working Party

- viii) To consider parish grant applications

A parish grant application was received on behalf of Town End View residents, to purchase decorative bark.

The Parish Council is unable to make a grant payment to an individual. Clerk to contact the residents to enquire whether they would support the Parish Council investigating taking ownership of the land.

71. Planning

- i) To consider planning applications received

APPLICATION NO: 26/04459/FUL

PROPOSAL: Single storey garage extension

LOCATION: 3 Fleet Lane Tockwith North Yorkshire YO26 7QD

A The Parish Council has no objections.

APPLICATION NO: 26/04259/FUL

PROPOSAL: Retrospective planning consent: change of use to commercial storage, workshop and office with replacement storage building and improved highway access.

LOCATION: Broad Oak Farmhouse Broad Oaks Farm Loop Tockwith North Yorkshire YO26 7QQ

B. The Parish Council objects on the planning grounds set out below: for details see Appendix 9.

- ii) To note all planning decisions received

None received.

- iii) To consider any planning enforcement related matters

None received.

- iv) To consider any other planning related matters

None received.

72. Neighbourhood Development Plan

- i) To receive an update on the Neighbourhood Development Plan

Cllr McHenery circulated a report in advance of the meeting (see Appendix 1). Clerk to follow up with NDP Consultant regarding the survey analysis.

73. Tockwith Together

- i) To receive an update from Tockwith Together

Cllr McHenery circulated a report in advance of the meeting (see Appendix 2).

74. Tockwith Sportsfield Trust

- i) To receive a report from the TWWPC representative on the Sportsfield Trust

Cllr Cumming circulated a report in advance of the meeting (see Appendix 3).

75. Tockwith Village Hall

- i) To receive a report from the TWWPC representative on the Village Hall Management Committee

Cllr Blake circulated a report in advance of the meeting (see Appendix 4).

It was noted that the EV Charger and Disabled Parking signs will be put up after the resurfacing of the car park has been completed.

- ii) To consider the development of the main hall insulation and heating

The quote for the work to improve the insulation, efficiency and heating of the village hall was discussed. It was noted that although three companies were approached, due to the specialism of the work, only one quote was recommended.

RESOLVED: To accept the quote from Energy Oasis for £73,686.00.

76. Highways and Transport Matters

- i) To consider any matters received.

It was noted that NYC is aiming to install the gateway signs by the end of October.

77. Public Open Spaces

- i) To receive reports on play and gym equipment inspections

Cllr McHenery circulated a report in advance of the meeting (see Appendix 5).

Thanks were given to Cllr McHenery and Cllr Wright for cleaning the play area and clearing the bird droppings. Thanks were also given to the neighbour for supplying water to help with the cleaning.

Cllr McHenery suggested that instead of using bird spikes, a thin wire could be added to the top of the equipment to prevent the birds landing. **RESOLVED:** To add the wire to the equipment.

It was noted that the litter bin is not being emptied on a regular basis. County Councillor Paraskos to ask NYC if the bin can be added to the normal collection rounds or if a NYC litter bin could be installed instead.

- ii) To consider and sign the legal transfer of the community open space plot
Cllr McHenery circulated a report in advance of the meeting (see Appendix 6). It was noted that a receipt is required to claim the S106 money.
- iii) To consider the installation and placement of interpretation boards
No update received.
- iv) To consider the purchase of litter picking equipment
Cllr Wright proposed that litter picking boards and equipment could be purchased by TWWPC and located in locations around the village.
RESOLVED: To allocate a budget of £600 to purchase and install the equipment. Preferred locations are near the PRD play area and near the Marston Road play area.
Cllr Wright to provide quotes.

78. Allotments

- i) To consider any findings from the monthly allotment inspections (Cllr Wright)
Cllr Wright circulated a report in advance of the meeting (see Appendix 7). Clerk to contact the contractor to report the issues with plot 3A at Church Row allotments and to send a tidy up letter.
- ii) To consider that access to the bridleway is the responsibility of NYC and all matters relating to access should be raised directly to NYC or North Yorkshire Police
RESOLVED: The bridleway is the responsibility of NYC and all matters relating to access should be raised directly to NYC or North Yorkshire Police.
It was noted that this is not the responsibility of the Parish Council.
- iii) To consider the funding options available to help refurbish the Bridlepath allotments, including the transfer of commuted sums currently allocated to the Church Row allotments
NYC has confirmed that there is a possibility of transferring some of the S106 money that has been allocated to Church Row allotments to the Bridlepath allotments. This is dependent on NYC inspecting the Church Row allotments and assessing how much they have been improved by the refurbishment project.
RESOLVED: To ask NYC to assess the Church Row allotments and if possible, transfer S106 money that has been allocated to Church Row allotments to the Bridlepath allotments.
- iv) To consider the request from an allotment holder to purchase large water containers for the Bridlepath allotments
The proposal to purchase 10 industrial bulk containers was discussed. Cllr Wright to develop a costed proposal for a system to harvest rainwater at the Bridlepath allotments.

79. Future Footprints

- i) To receive an update on the Community Green Energy Project
Cllr McHenery circulated a report in advance of the meeting (see Appendix 8).
- ii) To receive an update on the EV Chargers (Cllr Marsh)
Cllr Marsh to check the payments and income from the EV Chargers.

80. Media/Press releases

- i) To consider any matters for press release or community news
None raised.
- ii) To receive an updated from Cllr Cunningham regarding a TWWPC directory
Cllr Cunningham circulated the first draft of the TWWPC directory before the meeting. Comments are welcome.

Two members of the public left the meeting.

81. Correspondence

- i) To note list of correspondence received and circulated
Noted. It was noted that roads near the landfill site at Harewood Whin are regularly left in a mess with litter. Clerk to contact NYC and CYC to report this issue. It was noted that people are driving on the pavement in the village. County Councillor Paraskos has reported this to NYC.
Cllr Warneken thanked everyone for the support for his charity 'Brave the Shave' challenge. To date £18,020 has been raise for Macmillan Cancer Support.

82. Next Meeting

- i) To confirm the date for the next Parish Council meeting
RESOLVED: That the next Ordinary Meeting of the Council will be on Monday 28 September 2026 at 6:30pm.

The Chairman closed the meeting at 19:55

Appendix 1 – Neighbourhood Development Plan

- The surveys have closed, both hard copy and online. The raw results are available for examination.
- Next NDP committee meeting will be scheduled when there is some initial interpretation of the results, by the consultancy firm.

Appendix 2 - Tockwith Together

DLM 25.07.26 DNM currently 29.08.26.

Next TT meeting is the Sat after the PC so no new comprehensive update.

Main event has been organising the Tockwith /Hallam Land development ballot. Anyone living in Tockwith should have had this by now and it is available on-line. The ballot has 3 choices re the proposed Hallam Land development:

1. Support
2. Oppose
3. No opinion.

It will close on 13 September.

Appendix 3 – Sportsfield Trust

There are just a few updates from Tockwith Sportsfield Trust as there hasn't been a meeting since 13th July 2026.

The new tables and trolley arrived and are ready for use.

Volunteers will be painting the upstairs room over the summer holidays and new photo boards will be installed.

The trust is looking into having a booking system to use for hiring out the room.

The bowls club is offering free taster sessions over August to help bring in new members.

The next meeting is on 21st September 2026.

Appendix 4 – Tockwith Village Hall

VHMC Update - nothing much to update on as we've only had a brief meeting since the last PC meeting.

Appendix 5 - Playpark inspections, equipment and Defibs

- Marston Road PP. There is still an issue with Bird droppings. This will have been dealt with by Sun 23 Aug by a PC team working with the PlayPark neighbour.
- Drs surgery and PRD Defibs both OK.
- SFT outdoor gym
 - Old - One end cap on the 'ski movement' machine missing exposing the fixing screw.
 - Old - Sit-up eqpt has end cap missing
 - Old – Top cap of pedal machine missing.
- Berts Garden. Basically OK. The hot weather has dealt with the foliage-through-seats issue.

Appendix 6 – Plot of land at the top of PRD.

The PC has now paid the first instalment of payments to the Solicitors. This covers the searches and initial 'soliciting' (!). This is being covered by S106 monies.

Appendix 7 – Allotments

At the church allotments 3A still needs trimming and the path is getting overgrown.

At the Bridle Path allotments 2A is really over grown.

Appendix 8 – Tockwith Community Energy (TCE)

No activity since last PC. Outside of the meeting cycle, TCE have started to engage with a new support forum, the Feasibility Platform. This has details of many different Community energy approaches that TCE will review looking to broaden or adapt the current approach if applicable.

Appendix 9 – Planning Objection

APPLICATION NO: 26/04259/FUL

PROPOSAL: Retrospective planning consent: change of use to commercial storage, workshop and office with replacement storage building and improved highway access.

LOCATION: Broad Oak Farmhouse Broad Oaks Farm Loop Tockwith North Yorkshire YO26 7QQ

B. The Parish Council objects on the planning grounds set out below:

The Parish Council objects to planning application 26/04259/FUL on the basis of **material planning considerations and conflict with the adopted development plan**, in particular, the Harrogate District Local Plan. The application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposal represents a material intensification and commercialisation of a rural site. It does not appear to satisfy the relevant countryside employment, highway, amenity, landscape and environmental policies.

1. PRINCIPLE OF COMMERCIAL DEVELOPMENT IN THE COUNTRYSIDE – POLICY EC3

Policy EC3 – New Employment Development in the Countryside.

Policy EC3 does not provide an unrestricted right to establish commercial employment uses in the countryside. It requires countryside employment development to satisfy specified criteria, including matters concerning the relationship of the development to the countryside, the local road network, character and appearance, general amenity, traffic, parking, storage, lighting and noise.

The proposal is not simply the continued use of an agricultural building for an agricultural purpose. The description expressly identifies:

- commercial storage;
- workshop use;
- office use;
- a replacement storage building; and
- improved highway access.

North Yorkshire Council must therefore establish the **precise nature, scale and intensity of the commercial operation** and determine whether it genuinely satisfies Policy EC3.

In particular, the applicant should demonstrate why this particular countryside location is appropriate and whether the use could reasonably be accommodated within an established employment location.

The existence of an existing building does not, of itself, establish that an unrestricted commercial use is acceptable.

The Parish Council contend that the application has **failed to demonstrate compliance with Policy EC3**.

2. UNACCEPTABLE INTENSIFICATION OF THE SITE

North Yorkshire Council should assess the proposal as a whole rather than considering the storage building, workshop, office and access works in isolation.

The combination of these elements would facilitate an established commercial operation on a rural site.

North Yorkshire Council should require clear evidence concerning:

- the number of employees;
- the number and type of commercial vehicles;
- daily vehicle movements;
- delivery and collection arrangements;
- operating hours;

- workshop activities and machinery;
- the quantity and type of goods stored;
- external storage;
- parking requirements;
- customer and visitor movements; and
- future expansion or intensification.

Without this information, North Yorkshire Council cannot properly determine whether the proposal complies with EC3 or whether its effects on the surrounding area are acceptable.

A permission which fails to define and control the intensity of the use could effectively establish an unrestricted commercial operation in the countryside.

That would be inappropriate.

3. HIGHWAY SAFETY – POLICY TI1

The proposal must also be assessed against **Policy TI1 – Sustainable Transport**.

The commercial use has the potential to generate substantially greater traffic than a domestic or genuinely agricultural use.

North Yorkshire Council should therefore require adequate evidence demonstrating that the proposed use can be accommodated safely by the existing highway network.

This should include consideration of:

- the geometry and width of Broad Oaks Farm Loop;
- visibility at the access;
- vehicle speeds;
- pedestrian and cyclist safety;
- interaction with agricultural traffic;
- delivery vehicles;
- larger commercial vehicles;
- vehicle turning and manoeuvring;
- parking;
- loading and unloading; and
- the potential for vehicles to obstruct the highway.

The proposed access improvements cannot be regarded as sufficient evidence of highway acceptability in themselves.

The relevant question is whether the **development as a whole**, including the commercial activity it facilitates, can operate safely without creating an unacceptable highway impact.

If the application does not provide adequate evidence to establish this, North Yorkshire Council should apply the precaution that is appropriate to determining a planning application and refuse the proposal.

4. LANDSCAPE AND COUNTRYSIDE CHARACTER – POLICY NE4

Policy NE4 – Landscape Character is also directly engaged.

The policy requires development to respect and protect landscape character and local distinctiveness.

The proposal should not be assessed merely by asking whether the replacement building is visually acceptable when viewed in isolation.

North Yorkshire Council must consider the **combined effect of the building, access, hardstanding, vehicles, commercial activity, storage, lighting and associated infrastructure**.

Commercial activity at this location could alter the perception and character of the site from a rural/agricultural setting towards a commercial employment site.

The level and type of activity are themselves relevant to landscape character.

The Parish Council consider that the applicant has not demonstrated that the proposal would avoid unacceptable harm to the rural character and appearance of the area as required by Policy NE4.

5. LOCAL DISTINCTIVENESS AND DESIGN – POLICY HP3

Policy HP3 – Local Distinctiveness requires development to protect, enhance or reinforce the characteristics and qualities contributing to the local distinctiveness of the district.

North Yorkshire Council should assess the replacement storage building and associated works against the character of Tockwith and its rural surroundings.

Particular consideration should be given to:

- scale;
- siting;
- form;
- materials;
- hardstanding;
- access arrangements;
- external storage;
- lighting; and
- the cumulative visual effect of the development.

A functional commercial building is not automatically acceptable simply because it is located alongside an existing rural building.

6. RESIDENTIAL AMENITY – POLICY HP4

The proposal must also be assessed against **Policy HP4 – Protecting Amenity**.

Policy HP4 is particularly relevant because commercial workshop and storage activity can create impacts that would not arise from a normal residential or agricultural use.

These include:

- noise;
- vehicle movements;
- loading and unloading;
- machinery;
- lighting;
- disturbance;
- fumes or odour, where applicable; and

- increased activity at unsocial hours.

North Yorkshire Council should establish the actual operating arrangements rather than relying upon a generic description of “commercial storage, workshop and office”.

Unless appropriate evidence demonstrates that the proposal would not cause significant adverse effects on neighbouring amenity, the development conflicts with HP4.

7. BIODIVERSITY AND THE NATURAL ENVIRONMENT – POLICY NE3

Policy NE3 – Protecting the Natural Environment is also material.

North Yorkshire Council should establish whether the building works, access improvements, hardstanding and increased activity have affected or could affect protected species, priority habitats, hedgerows, trees or other ecological features.

This is particularly important because the application is retrospective.

North Yorkshire Council should not treat environmental impacts as acceptable merely because works have already taken place.

If adequate ecological information has not been submitted, North Yorkshire Council should obtain the necessary information before determining the application.

8. PLANNING HISTORY AND THE PREVIOUS RESTRICTION ON USE

The site’s planning history is particularly relevant.

The earlier permission for the mixed-use building included a condition restricting its use to purposes **solely in association with Broad Oaks Farmhouse**.

That restriction is material evidence of the planning authority’s previous assessment of the appropriate relationship between the building and the farmhouse.

The current proposal represents a materially different form of commercial use.

North Yorkshire Council should therefore ask whether granting this application would effectively undermine the purpose of the earlier restriction and facilitate a level of commercial activity which was previously considered inappropriate without planning control.

The planning history should be considered alongside the current proposal rather than treated as irrelevant background.

9. RETROSPECTIVE NATURE OF THE APPLICATION

The fact that this application is retrospective is a significant consideration in determining the facts and impacts of the proposal, although it does not alter the legal test that North Yorkshire Council must apply.

North Yorkshire Council must determine whether planning permission should be granted **now**, having regard to the development plan and all material considerations.

The applicant should not receive a planning advantage merely because the use or works have already commenced.

North Yorkshire Council should therefore assess the development as though the question were whether it should be permitted at the present time.

Where the actual operation is already established, North Yorkshire Council should also ensure that it has accurate evidence of the **real level of activity**, rather than relying solely upon a potentially broad description of the proposed use.

10. FAILURE TO DEMONSTRATE ACCEPTABILITY IS A MATERIAL CONCERN

The burden is not on objectors to demonstrate that every possible adverse impact will occur.

The relevant issue is whether the applicant has provided sufficient information for North Yorkshire Council to reach a reasoned conclusion that the proposal complies with the development plan and would not result in unacceptable harm.

Where material information concerning traffic, operating intensity, noise, ecology, landscape or amenity is absent or inadequate, North Yorkshire Council should not simply assume that the impacts will be acceptable.

The absence of sufficient evidence is particularly significant where the proposal involves retrospective commercial activity.

11. PRECEDENT AND CREEPING COMMERCIALISATION

Approval could also make it materially more difficult for North Yorkshire Council to resist similar applications for commercial uses at other rural properties.

The Parish Council recognise that precedent is not, by itself, a reason for refusal.

However, the cumulative effect of permitting inappropriate commercial uses throughout the countryside is a legitimate planning consideration where it demonstrates a conflict with the development plan's strategy for protecting rural character and controlling countryside employment development.

North Yorkshire Council should therefore ensure that this application is determined strictly against the policies applicable to this site and this particular proposal.

12. WEIGHT TO THE DEVELOPMENT PLAN

North Yorkshire Council should give substantial weight to the adopted development plan.

Where the proposal conflicts with policies EC3, TI1, HP3, HP4, NE3 and NE4, permission should be refused unless there are material considerations of sufficient weight to justify departing from those policies.

The applicant's general economic benefit cannot, without more, outweigh specific and evidenced harm to highway safety, residential amenity, landscape character or the proper planning of countryside employment uses.

13. REQUEST FOR REFUSAL

For the reasons set out above, the Parish Council object and that the application has **not demonstrated that the proposed development is acceptable in this rural location.**

The proposal conflicts, in particular, with:

Policy EC3 – New Employment Development in the Countryside

Policy TI1 – Sustainable Transport

Policy HP3 – Local Distinctiveness

Policy HP4 – Protecting Amenity

Policy NE3 – Protecting the Natural Environment

Policy NE4 – Landscape Character

The principal objection is not simply to the existence of a business. It is to the **appropriateness, scale, intensity and consequences of this particular commercial use at this particular rural location.**

The proposal has not adequately demonstrated:

1. that the commercial use satisfies the countryside employment criteria of Policy EC3;
2. that the highway network can safely accommodate the resulting traffic;
3. that the development preserves the character and appearance of the countryside;
4. that neighbouring residential amenity is protected;
5. that the ecological effects are acceptable; or

6. that the cumulative effect of the various elements of the proposal is acceptable.