

## PLANNING COMMITTEE

1 September 2021

**Present** – The Chair (Councillor Brockbank) and Councillors Brown, Heseltine, Lis, Pringle, Rose and Shuttleworth.

**Officers** – Legal Advisor, Strategic Manager for Planning and Regeneration, Planning Manager, Principal Planning Officer, Planning Officers x 2, Senior Democratic Services Officer and Democratic Services and Scrutiny Officer.

**Apologies for Absence and Substitutes:** Apologies for absence were received from Councillors Handley, Harbron, Morrell, Place, Sutcliffe and substitute Member Councillor Ireton (sub for Handley).

**Ward Representatives :** Councillor Staveley, Application 2021/22615/OUT; Councillor Shuttleworth, Application 2021/22845/FUL; Councillor Brown, Application 2021/22513/HH; Councillor Rose, Application 2021/22714/REM.

### **Confirmation of Minutes:**

**Resolved** – That the minutes of the meeting held on 5 July 2021 were approved as a correct record.

Start: 1.38pm

Finish: 4.59pm

A short comfort break was taken at 3.45pm.

**Duration of Meeting :** In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours

PL.1036

### DECLARATIONS OF INTEREST AND LOBBYING

#### **a. Declarations of Interest**

There were no declarations of interests.

#### **b. Lobbying**

Councillor Brown was lobbied: against application 2021/22513/HH; in favour of application 2021/23061/LBC; and in favour of applications 2021/22929/FUL and 2021/22930/LBC.

PL.1037

### PUBLIC PARTICIPATION

The following individual addressed the Committee:

**Application 2021/22615/OUT** – Mr Hadyn Fortune, Ribble Banks Parish Council.  
Mr Aran Drachenberg, applicant.

**Application 2021/22513/HH** – Mr David Cohen, Bradleys Both Parish Council  
Mr Peter Richmond, objector  
Mrs Ann Hibbins, applicant

PL.1038

### PLANNING APPLICATIONS

#### **a. Applications determined by Planning Committee**

Permission Granted

**Application ref: 2021/22714/REM** – Reserved matters application to provide a hybrid mix of B1, B2 and B8 industrial units at plot 3, Wyvern Park on land North of A629 and East of Wyvern Way, Skipton. The application seeks to confirm the following reserved matters: layout; scale; appearance of the building(s); and the landscaping/boundary treatments for the sub area known as plot 3. Application is granted subject to the conditions below with an addition to condition 8 to include the provision for heat exchange units on site. In granting permission, Members asked the Planning Manager to remind the developers of their obligations under conditions imposed in their outline application approval that lorries must access the site from the bypass not through Skipton town centre.

Conditions**Approved Plans**

1 This permission relates to the following plans and documents:

8510-BOW-A0-ZZ-DR-A-1000-P2\_ SITE LOCATION PLAN  
 8510-BOW-A0-ZZ-DR-A-1001-P5\_ PROPOSED SITE LAYOUT  
 8510-BOW-A0-ZZ-DR-A-1002-P3\_ PROPOSED EXTERNAL WORKS  
 8510-BOW-A1-ZZ-DR-A-2001-P3\_ BUILDING 1 PLANS  
 8510-BOW-A1-ZZ-DR-A-3001-P3\_ BUILDING 1 ELEVATIONS + SECTION  
 8510-BOW-A2-ZZ-DR-A-2002-P3\_ BUILDING 2 PL  
 8510-BOW-A2-ZZ-DR-A-3002-P3\_ BUILDING 2 ELEVATIONS + SECTION  
 8510-BOW-A3-ZZ-DR-A-2003-P3\_ BUILDING 3 PLANS  
 8510-BOW-A3-ZZ-DR-A-3003-P3\_ BUILDING 3 ELEVATIONS + SECTION  
 8510-BOW-A4-ZZ-DR-A-2004-P3\_ BUILDING 4 PLANS  
 8510-BOW-A4-ZZ-DR-A-3004-P3\_ BUILDING 4 ELEVATIONS + SECTION  
 8510-BOW-A5-ZZ-DR-A-2005-P4\_ BUILDING 5 PLANS  
 8510-BOW-A5-ZZ-DR-A-3005-P4\_ BUILDING 5 ELEVATIONS + SECTION  
 8510-BOW-A6-ZZ-DR-A-2006-P3\_ BUILDING 6 PLANS  
 8510-BOW-A6-ZZ-DR-A-3006-P3\_ BUILDING 6 ELEVATIONS + SECTION  
 AMA-20993-ATR001 16.5 ARTICULATED HGV SWEPTPATH ANALYSIS  
 AMA-20993-SK001 SITE ACCESS VISIBILITY SPLAYS  
 HWA-01A SITE LEVELS  
 HWA-02A ADOPTABLE JUNCTION  
 HWA-03 A SETTING OUT HIGHWAYS  
 HWA-05 DRAINAGE LAYOUT  
 SF 3160 LL01 REV A LANDSCAPING PLAN

8510-P1\_ SUSTAINABLE DESIGN AND CONSTRUCTION STATEMENT  
 210312 PLOT 3 BREEAM NC 2018 PRE-ASSESSMENT REPORT  
 8510-P2\_ DESIGN AND ACCESS STATEMENT

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

**Before you Commence Development**

## AGENDA ITEM 2

- 2 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. restriction on the use of new access for construction purposes;
3. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. details of site working hours;
7. details of the measures to be taken for the protection of trees; and
8. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity and to accord with Policy INF7 of the Craven Local Plan.

### **During Building Works**

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the materials used on the external surfaces of the units shall be as those detailed in the Design and Access Statement Document.

Reason: In order to ensure a satisfactory external appearance developments in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

- 4 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the landscaping scheme for the site shown on drawing no. LL01 Rev A shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with the details shown on the approved plan. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Craven Local Plan Policies ENV3 & ENV4 and the National Planning Policy Framework

## AGENDA ITEM 2

- 5 There must be no access or egress by any vehicles between the highway and the application site at new access until splays are provided giving clear visibility of 70m metres measured along both channel lines of the major road from a point measured 2.4m metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy INF7 of the Craven Local Plan

- 6 There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) at new access until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- o vehicular, cycle, and pedestrian accesses;
- o vehicular and cycle parking;
- o vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
- o loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas at new industrial unit have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development and to accord with Policy INF4 of the Craven Local Plan.

- 7 The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport and to accord with Policy INF7 of the Craven Local Plan

- 8 Details for the provision of PV Solar Panels on the site shall be submitted to and approved in writing by the local planning authority. The permission shall be implemented in accordance with approved details and retained as such thereafter retained.

Reason: To help address climate change in accordance with policies contained within the Craven Local Plan and national planning policy framework.

## AGENDA ITEM 2

- 9 Details for the provision/location of electric charging points and cycle storage on the site shall be submitted to and approved in writing by the local planning authority. The proposal shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: To improve accessibility for future residents to sustainable modes of transport in accordance with policies contained within the Craven Local Plan and national planning policy framework.

- 10 Details for the provision of external illumination on the site shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented as per the agreed details and retained as such thereafter.

Reason: To improve accessibility for future residents to sustainable modes of transport in accordance with policies contained within the Craven Local Plan and national planning policy framework.

### Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

2. The planning permission 2017/18136/VAR still stands and all its conditions and informatives still apply. This approval and that permission should be read together.

3. The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at [https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim\\_guidance\\_on\\_transport\\_issues\\_including\\_parking\\_standards.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf)

4. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

**Application Ref: 2021/23061/LBC** – application for the installation of photovoltaic panel array to the existing south facing concert hall roof of the Town Hall, Skipton. The application is granted subject to the conditions below –

### Conditions

#### **Time Limit for Commencement**

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### Approved Plans

- 2 The proposed works hereby approved shown on drawings and document:

WACBLD1117.001 LOCATION PLAN  
WACBLD1117.003 PLAN AS PROPOSED  
WACBLD1117.005 SOUTH ELEVATION AS PROPOSED

Design and Heritage Statement  
Appendix A - Solar PV Panels technical details

The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise.

Reason: To specify the terms of the permission and for the avoidance of doubt.

### During Building Works

- 3 The external finish of the solar PV panels shall be black non reflective and retained as such thereafter, unless agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure no harm to the designated heritage asset. The proposal accords with Policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

- 4 The photovoltaic panels and associated infrastructure hereby permitted shall be removed from the application site within 3 months of becoming redundant to its designated use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity and to ensure no harm to the designated heritage asset. The proposal accords with Policy ENV2 of the Craven Local Plan.

### Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

2. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

## AGENDA ITEM 2

**Applications 2021/22929/FUL and 2021/22930/LBC** – applications for the installation of three ‘Sheffield’ style cycle hoops on the High Street setts, Skipton and listed building consent for the installation of same on an area of used setts to the rear (West) of the statue of Sir Matthew Wilson, High Street, Skipton BD23 1JX. Applications approved subject to the following conditions –

### Conditions for 2021/22929/FUL

#### **Time Limit for Commencement**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Approved Plans**

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

TD1 Proposed site plan  
8496 Location plan  
125084 Single Sheffield Hoop and fixings

Reason: To clarify which plans have been approved.

#### **During Building Works**

- 3 The hereby approved Sheffield Cycle Hoops shall have a black external appearance and retained as such thereafter.

Reason: To ensure no harm to the conservation area or setting of the listed building and to accord with Policies ENV2 & ENV3 of the Craven Local Plan and the National Planning Policy Framework.

### Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

2. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

### Conditions for 2021/22930/LBC

#### **Time Limit for Commencement**

## AGENDA ITEM 2

- 1 The works hereby granted shall be begun before the expiration of three years from the date of this consent.

Reason - As required by Section 18 of the Planning (Listed Buildings and Conservation Areas Act) 1990, to avoid the accumulation of consents.

### Approved Plans

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

Reason: To clarify which plans have been approved.

### During Building Works

- 3 The hereby approved Sheffield Cycle Hoops shall have a black external appearance and retained as such thereafter.

Reason: To ensure no harm to the conservation area or setting of the listed building and to accord with Policies ENV2 & ENV3 of the Craven Local Plan and the National Planning Policy Framework.

- 4 All new works and works of making good to the stone setts following the installation of the Sheffield Cycle Hoops, shall be finished to match the historic work with regard to the methods used and to colour, material, texture.

Reason - In order to safeguard the special architectural or historic interest and heritage significance of the stone setts and comply with policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

### Application Deferred

**Application 2021/22615/OUT** – Outline application with access, layout and scale considered for 2 no. detached two-storey dwellings on land North of the Old Coach House, Tosside, BD23 4SQ. The application was recommended by officers for refusal based on the proposed development being located in the open countryside and contrary to Craven District Council's Local Plan. Members were advised by the Council's legal advisor that the application had to be determined based on the application before them and in accordance with the Local Plan.

However, Members deferred the application to enable the Planning Manager, applicant and agent to discuss the application further as they felt more clarity was required in relation to the new information presented at the meeting by the applicant's representations that the proposed development was to be used as workers' dwellings for members of their family involved in the local hospitality business. In deferring a decision, Members wanted the applicants to demonstrate sustainability and bio-diversity and that the application demonstrated it met the relevant Paragraph k of the Craven Local Plan regarding rural workers' dwellings. In deferring the application, the Planning Manager could not give an assurance that the application could be amended and that it may be a fresh application would be required.

### Applications Refused



## AGENDA ITEM 2

**Application 2021/22845/FUL** application for the construction of a detached garage and detached outbuilding as Laithe Barn, Low Lane, Halton East, BD23 6EH. The application is refused for the following reasons:

The proposed feather edge oak cladding would be an inappropriate material in open countryside that would visually jar with the stone-built application property. Therefore, it would not respect the materials of the application property. Consequently, the proposed development conflicts with Craven Local Plan 2012 to 2032 Policies ENV1, ENV2 and ENV3, and the National Planning Policy Framework.

**Application 2021/22513/HH** application for the construction of a first floor rear extension at 10 Westview Close, Low Bradley, Keighley, BD20 9BU. The application is refused for the following reasons:

The proposed first floor rear extension by reason of loss of light to 8 Westview Close would have a significant adverse impact on the amenity of this existing resident. Therefore, the proposed development would not secure a good standard of amenity for existing residents.

Consequently, the proposed development conflicts with Craven Local Plan 2012 to 2032 Policy ENV3 and the National Planning Policy Framework.

### b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 24 June 2021 and 19 August 2021. Members suggested that the 'lawful over time' reason for cases closed be changed to 'immune from action' as this provided better clarity.

PL.1039	<b>REPORT ON PLANNING STAKEHOLDER SURVEYS</b>
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The Director of Services submitted a report from the Haines Planning Consultancy Ltd in respect of surveys undertaken with planning agents, parish and town councils in the District during April and May 2021.

The stakeholder survey was a recommendation of the Local Government Association Planning Peer Review undertaken in September 2020 and were in accord with actions contained within Theme 2 (Working with Partners) of the Member and Officer Planning Improvement Action Plan. The findings of the survey contained within the report now submitted would be used to inform the actions of the Council to improve the customer focus and delivery of the planning service.

**Resolved** – (1) That, the contents of the report are noted.

(2) That, an all Member briefing on the planning stakeholder surveys is held.

PL.1040	<b>PLANNING PERFORMANCE MONITORING</b>
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The Planning Manager submitted a report informing the Committee not only of performance during the second quarter of 2021 but also looks back at the preceding two years. In addition, the report compared the performance of Craven's planning service from 1 January 2019 to 31 March 2021 with that of nearby planning authorities.

The report provided a framework for the regular reporting of performance to the Planning Committee and was linked to the introduction of more effective performance management within the planning service.

## AGENDA ITEM 2

**Resolved** – (1) That, the contents of the report are noted.

(2) That, regular reports are submitted to this Committee on the following basis:

- performance for the period 1 July to 30 September to be reported in November 2021;
- performance for the period 1 October to 31 December to be reported in January 2022; and
- performance for the period 1 January to 31 March to be reported in May 2022.

(3) That, future reports include enforcement, appeal, condition discharge and pre-application enquiries performance.

(4) That an all Member briefing session is held on planning performance monitoring based on the contents of the report now submitted.

PL.1041

### **ANY OTHER ITEMS**

There were no late items of business to consider.

### **Minutes for Decision**

There were no items for decision requiring confirmation by Council.

Chairman.