

PLANNING COMMITTEE

22 November 2021

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

Officers – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Principal Planning Officer x 2, Planning Officer and Senior Democratic Services Officer.

Apologies for Absence and Substitutes: Apologies for absence were received by Councillors Handley, Harbron and Morrell.

Ward Representatives: **2020/21565/REG4** Councillor Moorby; **2021/23035/FUL** Councillor Sutcliffe; **2020/22178** Councillor Pringle; **2021/22630/ADV** Councillor Rose; **2021/23028/HH** Councillor Shuttleworth.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 25 October 2021 were approved as a correct record.

Start: 1.37pm

Finish: 5.52pm

A short comfort break was taken at 3.12 pm.

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

PL.1053

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

Councillors Brown and Pringle declared interests in applications 2020/21565/REG4 and 2021/22630/ADV as he was a Member of Craven District Council who were the applicants. Councillor Pringle also declared an interest in application 2020/22178/FUL as he had made comments on an application very close to the one now being considered, before he became an elected Member.

b. Lobbying

The Chairman (Councillor Brockbank) had been lobbied against applications 2020/21565/REG4 and 2020/22178/FUL.

Councillor Sutcliffe had been lobbied against applications 2020/21565/REG4 and 2020/22178/FUL.

Councillor Shuttleworth had been lobbied for and against application 2021/23028/HH and also against application 2020/22178/FUL.

Councillor Brown had been lobbied against applications 2020/21565/REG4 and 2020/22178/FUL and in favour of application 2021/23035/FUL.

PL.1054

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2020/21565/REG4 - Parish Councillor David Statt (Hellifield Parish Council)

Application 2021/23035/FUL - Mr Nigel Taylor (applicant)

Application 2020/22178/FUL – Parish Councillor Angela Dowbiggin (Carleton in Craven PC)
Ms Frances Astin (on behalf of the objectors)
Ms Gemma Kennedy (agent for the applicant)

PL.1055

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permissions Granted

2021/23035/FUL – application for change of use from Post Office to form residential accommodation at 7 High Street, Gargrave, Skipton BD23 3RA. Members approved the application with no conditions.

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.

2021/22630/ADV – application for advertisement consent for a series of flags to promote the Skipton Heritage Action Zone project. The flag sites being located at High Street, Coach Street and Otley Road, Skipton. Members approved the application subject to the following conditions:

Conditions

Time Limit

- 1 The consent to display the sign(s)/advertisement(s) hereby permitted is for a period of 5 years only from the date of this consent. At or before the end of this period the sign(s)/advertisement(s) shall be removed and that part of the premises on which the sign(s)/advertisement(s) was displayed shall be restored to a clean and tidy condition.

Reason: The advertisement hereby permitted is one that the Local Planning Authority will only permit for a strictly limited period in accordance with Regulation 14 (7) (a).

Approved Plans

- 2 Approved plans and documents

Final Flag Design
OS Plan
Appendix A
Appendix B
Appendix C
Flag Poles and Locations
Flag Designs Montage

Reason: For the avoidance of doubt and in the interests of good planning.

Ongoing Conditions

- 3
- (i) All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
 - (ii) Any hoarding or similar structure or sign, placard, board or device erected or used principally for the purpose of displaying advertisements, shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
 - (iii) Where any advertisement is required under the Advertisement Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
 - (iv) No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the entitled to grant permission.
 - (v) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: To ensure that the permitted advertisement is maintained in a safe and tidy condition.

Informatives

1. 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.

2021/23028/HH – application for the construction of a single storey rear extension at 54 Barden Road, Eastby, Skipton BD23 6SN. The application had been deferred by Planning Committee on 25th October 2021 as Members requested clarification between plans on the Council’s external website and those presented to the Committee.

The Committee asked that it be recorded that they disagreed with part of the summary provided in the case officer’s report as they felt it was unnecessary and did not add to the application, namely;

“However, after a review it was confirmed that all the information/plans were available on the external website and subsequently shown on the presentation. The deferral had resulted in an unnecessary delay.”

Members approved the application, subject to the roof covering being of natural stone slate or a good alternative as agreed by the Local Planning Authority in consultation with the Ward Member and with the following conditions:

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 This permission relates to the following plans:

- Extension 54 Barden Road Eastby, Scale 1:100, May 2021 [received 16 June 2021]

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.

During Building Works

- 3 Prior to any construction above ground, details of the materials to be used in the construction of the exterior walls and roof shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Ward Councillor and only the approved materials shall be utilised.

Reason: In order to safeguard the special architectural & historic interest, character, appearance and integrity of the Conservation Area in order to comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, National Planning Policy Framework Paragraphs 124, 126, 199-201, and Local Plan Policy ENV2 & ENV3.

Before the Development is Occupied

- 4 Prior to use of the permitted development, a Greenwoods Ecohabitats Tow Chamber Bat Box or Kent Bat Box shall be installed in accordance with the recommendations of the Preliminary Bat Roost Assessment Report (08.06.2021). The bat boxes shall be retained thereafter.

Reason: In order to establish a net gain in biodiversity in accordance with in accordance with Local Plan Policy ENV4 and National Planning Policy Framework Paragraph 174.

Informatives

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has

therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

2. In the unlikely event of bats or their roosts being exposed or vulnerable to harm, suspend further work in that area, cover the exposed bats to reduce any further risk of harm and seek advice immediately and seek advice from a qualified ecologist immediately.

Application Deferred

Application 2020/21565/REG4 – application for thirteen entry-level affordable homes and associated infrastructure on land at Station Road, Hellifield. This application was deferred as Members felt that a visit to the site was required before they could determine the application.

Application Refused

2020/22178/FUL – application for proposed change of use of agricultural land to site timber clad lodges for holiday use on land to the North of Carla Beck House, Carla Beck Lane, Carleton, Skipton BD23 3BQ. Members refused the application on the following grounds:

1. The proposal will result in some economic benefits, but this is significantly and demonstrably outweighed by the social and environmental hard caused by the development. The proposal is therefore considered to conflict with policies SD1, EC3, and EC4 of the Craven Local Plan and Paragraph 8 of the National Planning Policy Framework.
2. It is considered that the siting of the holiday lodges in this location would erode the open nature of the area and have an unduly detrimental effect upon the open character and appearance of the surrounding landscaping setting. The proposal is therefore considered to be contrary to Policy ENV1 of the Craven Local Plan and Sections 12 and 15 of the National Planning Policy Framework.
3. The proposal does not have sufficient visibility splays at the access to the site and does not meet the Highways Authority's requirement of 2 metres by 215 metres. The scheme has only 2 metres by 40 metres available. The Highways Authority as a statutory consultee had recommended refusal of the application, because of the insufficient visibility splays.)

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 14 October 2021 and 11 November 2021.

PL.1056 **REVIEW OF HANDLING OF APPLICATION 2021/22945/FUL PARK MILL, SKIPTON**

At the request of the Planning Committee at its last meeting, the Strategic Manager for Planning and Regeneration submitted a report setting out the details of the processing the application for alterations to Park Mill, Brougham Street, Skipton.

The application, to increase the height of the existing building to create a second floor and build a new roof, was withdrawn from the agenda of the Planning Committee held 25th October 2021 on the advice of the Planning Manager and Counsel. The application had been recommended for approval. The Town Council had no comments on the proposal, but due to representations by local residents, the application was placed on 7-day notice in accordance with the Scheme of Delegation. The Chair and Vice Chairman indicated they did not wish the application to be referred to the Planning Committee but the Ward Member had asked for it to be determined by Committee so the application was moved onto the list of applications to be decided by Committee.

After the 7-day notice period expired on 6th October 2021, an administrative error led to the issue of a decision notice approving the application even though the application was listed for Committee decision on 25th October.

Investigations had found that the error could not be attributed to any single officer but revealed failing in administrative procedures. Changes have since been made to the Uniform IT system that should now prevent a decision being issued once an application had been listed for Committee determination.

Members had at the last meeting stated that they were not interested in issuing a minded to decision, but the Strategic Manager for Planning and Regeneration's report recommended that they be asked to re-consider how they would have determined the application.

Members debated whether they should re-consider giving a 'minded to' decision but decided that the application had already been dealt and did not wish to pursue the matter further. In any event, the Committee's Legal Advisor informed the Committee that the Authority would need robust planning reasons if they were minded to revoke the permission. He also stated that that latest date to apply for a judicial review had passed.

Resolved – (1) That, the processing of the application for alterations to Park Mill, Brougham Street, Skipton is noted.

PL.1057

QUARTERLY PLANNING PERFORMANCE MONITORING

The Strategic Manager for Planning and Regeneration submitted a report informing the Committee of performance during the quarter June to September 2021.

The report highlighted performance relating to enforcement, appeal decisions, condition discharge and pre-application enquiries. In addition, data included within the report compared the speed of decisions with Government national indicators. The Planning Manager explained that a lack of planning staff due to long term sickness and holidays had been a factor in the decline in determining applications but that he was optimistic this could be turned around as agency staff had been recruited and rigorous monitoring was in place. He also praised the enforcement team who had been working extremely hard to clear outstanding enforcement cases.

The Planning Manager advised Members that going forwards, performance monitoring reports would be submitted to the Committee on a quarterly basis.

Resolved – That the contents of the report are noted.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Chairman.