

**PLANNING COMMITTEE**

14 February 2022

**Present** – The Chair (Councillor Brockbank) and Councillors Brown, Handley, Heseltine, Ireton (substitute for Place), Lis, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe.

**Officers** – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Senior Democratic Services Officer and Democratic Services and Scrutiny Officer.

**Apologies for Absence and Substitutes:** Apologies for absence were received from Councillors Harbron and Place.

**Ward Representatives:** Application 2021/23416/FUL Councillor Shuttleworth; Councillor Brown Applications 2021/23310/FUL and 2021/23450/FUL.

**Confirmation of Minutes:**

**Resolved** – That the minutes of the meeting held on 20 December 2021 were approved as a correct record, subject to a minor amendment.

Start: 1.30pm

Finish: 4.03pm

A short comfort break was taken at 2.41pm

PL.1062

**PUBLIC PARTICIPATION**

Councillor Eric Jaquin addressed the Committee regarding applications 23425 and 23455. He had already raised issues at the last meeting relating to HGV vehicular access to the development site at Aldersley Avenue, Skipton. On-site work had started and HGV's were already using the unauthorised route resulting in problems including cars having their wing mirrors clipped. He hoped that Councillors would report any usage of the wrong route to the planning enforcement team. The Planning Manager in reply stated that he would consider the points made and respond accordingly.

PL.1063

**DECLARATIONS OF INTEREST AND LOBBYING**

**a. Declarations of Interest** – There were no interests declared.

**b. Lobbying**

Councillor Brown was lobbied against applications 2021/23310/FUL and 2021/23450/FUL. Councillor Pringle was lobbied against application 2021/23450/FUL.

PL.1064

**PUBLIC PARTICIPATION**

The following individual addressed the Committee:

**Application 2021/23310/FUL -** Mr Midgley (Kildwick Parish Meeting)  
Mr Gaille (objector)

**Application 2021/23450/FUL –** Ms Catherine Gott (objector)  
Mr Ian Swain (agent for the applicant)

PL.1065

**PLANNING APPLICATIONS****a. Applications determined by Planning Committee**Permission Granted

**2021/23416/FUL – application for the construction of a detached garage and detached outbuilding at Laithe Barn, Low Lane, Halton East, BD23 6EH.** Members approved the application subject to the following conditions:

Conditions**Time Limit for Commencement**

- 1 The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To ensure compliance with 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 and drawings:
  - o Drawing No. P(00)-01 Rev A "Garage - Proposed Plans & Sections" received 19 October 2021;
  - o Drawing No. P(00)-02 Rev A "Garage - Proposed Elevations" received 19 October 2021;
  - o Drawing No. P(00)-03 Rev C "Outbuilding - Proposed Plans & Sections" received 19 November 2021;
  - o Drawing No. P(00)-04 Rev C "Outbuilding - Proposed Elevations" received 19 November 2021;
  - o Drawing No. P(00)-06 "Existing Site Plan" received 19 October 2021;
  - o Drawing No. P(00)-07 "Proposed Site Plan" received 19 October 2021;
  - o Drawing No. P(00)-08 Rev A "Proposed Site Layout" received 19 October 2021;and
  - o Drawing No. P(00)-09 Rev B "Location Plan" received 19 October 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 2012 to 2032 and the National Planning Policy Framework.

**During Building Works**

- 3 Prior to first use of the walling stone, a sample panel (measuring no less than 1 metre x 1 metre) demonstrating the type, texture, bond and pointing of the stonework shall be constructed on the site and be approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved panel and the materials detailed in the submitted application form.

Reason: To ensure use of appropriate materials which are sympathetic to the context in the interests of visual amenity and in accordance with the requirements of Craven Local Plan 2012 to 2032 Policies ENV1, ENV2 and ENV3 and the National Planning Policy Framework.

### 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.

#### 2. Public Footpath and Bridleway - North Yorkshire County Council Public Rights of Way:

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

### Applications Refused

**2020/23310/FUL – application for barn conversion to form one dwelling off Grange Lane, Kildwick, BD20 9BZ. (Site Visit.)** The Planning Committee resolved to refuse the application against officer recommendation as having undertaken a site visit they regarded the barn in question was not

redundant and was, in fact a stable block that was capable of being used for that purpose. Additionally, as the development would be in the open countryside away from existing settlements, Members felt that the proposed development detracted from the open countryside views and did not contribute to the areas distinctive character and sense of place. The application was refused on the following grounds:

1. The proposal is not in accordance with Local Plan Policy as the requirements of Policy SP4k.c) cannot be met.
2. The proposal is not in accordance with Local Plan Policy ENV3c as the proposed development fails to maintain a sense of place.

**2021/23450/FUL – application for the construction of a detached dwelling with associated off-street parking on land at Pennine Haulage Brow Garage, Rook Street, Lothersdale, BD20 8EH. (Site Visit.)** The Planning Committee resolved to refuse the application against officer recommendation as they deemed that the site was cramped and the proposed dwelling would add to that, failing to protect the amenity of the existing dwellings and residents. Parking on the site was limited and another dwelling would escalate off-site parking concerns. The application was refused on the following grounds.

1. The proposal is not in accordance with Craven Local Plan Policy ENV3e as the proposal fails to protect amenity of existing properties because of the cramped access.
2. The proposal is not in accordance with INF4d due to off-site parking concerns.

#### **b. Delegated Matters**

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 10 December 2021 and 2 February 2022.

#### PL.1065                    **QUARTERLY PLANNING PERFORMANCE MONITORING REPORT**

The Strategic Manager for Planning and Regeneration submitted a report informing the Committee of performance of the development management service during the quarter October to December 2021.

The Council's performance had been analysed against national indicators for planning applications together with information for quarter three regarding enforcement, appeals and the speed of validation of planning applications. The conclusion was that, over the past nine months, there had been improvement in performance, namely a 70% increase in the number of applications determined compared to the previous nine months; a fall of 34% in the backlog of undetermined applications between 30<sup>th</sup> June and 31<sup>st</sup> December 2021; and that the last quarter saw the speed of determination of non-major development applications had reached the Government's minimum target for the first time since the second quarter of 2020.

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

#### **Minutes for Decision**

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 14<sup>th</sup> March 2022.

Chairman.