

PLANNING COMMITTEE

14 March 2022

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

Officers – Legal Advisor (Kings’ Chambers, Manchester), Planning Manager, Principal Planning Officer, 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 2021/22977/FUL Councillor Noland (statement read out by Democratic Services); Application 2021/23599/REM Councillor Barrett.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 14th February were approved as a correct record, subject to a minor amendment.

Start: 1.36pm

Finish: 5.26pm

Councillor Heseltine left the meeting at 4.53pm.

A short comfort break was taken at 3.26pm

PL.1065

PUBLIC PARTICIPATION

Councillor Eric Jaquin addressed the Committee regarding applications 23425 and 23455. He had previously made representations to the Committee relating to HGV vehicular access to the development site at Aldersley Avenue, Skipton. He wanted to see the Council introduce measures to ensure that HGV’s followed the agreed route. He suggested CCTV monitoring, the erection of signs and imposing penalties for any planning breaches. The Planning Manager, in reply, stated that he would consult colleagues and send a written response to Councillor Jaquin.

PL.1066

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

Councillors Brockbank, Brown, Handley, Heseltine, Lis, Morrell, Pringle, Rose and Sutcliffe were lobbied against application 2021/22977/FUL. Councillors Brown and Lis were lobbied for and against application 2021/23599/REM and Councillor Sutcliffe was lobbied against the application.

PL.1067

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2021/22977/FUL - Mr Scott Bisset (on behalf of the objectors)
Mr Alan Wooley (on behalf of the applicant)

Application 2021/23599/REM – Mr William McCann (on behalf of the objectors)
Mr Mick Matthews (applicant)

PL.1069

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permission Granted

2021/23537/REG4 – application for the installation of a heat recovery system at Skipton Crematorium, Waltonwrays, Carleton Road, Skipton, BD23 3BT.

Members approved the application subject to 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:

Drawing no. 14681 Lay 1002 Rev A received 26th November 2021
Drawing no. 14681 Lay 1001 Rev A received 26th November 2021
Drawing no. 14681 Lay 1000 Rev A received 26th November 2021
Materials and Fixing document received 20th January 2022

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 the cladding of the heat recovery system details of the wood cladding shall be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

Reason: In the interest of visual amenity and to accord with Policies ENV2 and ENV3 of the Craven Local Plan and the NPPF.

- 4 Prior to the development being brought into use bird/bat boxes shall be installed and retained as such thereafter.

Reason: In the interests of biodiversity enhancements and to accord with Policy ENV6 of the Craven Local Plan and the NPPF.

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. 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.

Proposer: Councillor Rose

Secunder: Councillor Lis

Voting: 8 for approval; 1 abstention.

2022/23640/FUL – application to install new and replace existing lighting equipment with the heritage style designs within Skipton Heritage Action Zones. Zone 1: Victoria Square and 22 Sheep Street. Zone 2: Victoria Street. Zone 3. Hallams Yard and 2 Sheep Street and 60A High Street, Skipton. Members resolved to approve the application with the conditions set out below including an additional condition in order to ensure the visual amenity of the designated heritage assets from any unacceptable visual harm and to comply with the Craven Local Plan:

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:

Location plan dated 20th December 2021

NYCC Lighting Equipment Plan dated 20th December 2021

NYCC Lighting Key dated 20th December 2021

NYCC Hallams Yard dated 20th December 2021
NYCC Victoria Street dated 20th December 2021
NYCC Hallams Yard dated 20th December 2021
NYCC Victoria Square dated 20th December 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 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed sequentially in accordance with the three phases shown on Location Plan dated 20th December 2021.

Reason: For the avoidance of doubt and to ensure that any phased development of the site takes place in an appropriate order and timetable in accordance with the policies contained within the Craven Local Plan 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 development shall be constructed in accordance with the materials detailed on the submitted application form and approved plans.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Craven Local Plan Policy ENV3 and the National Planning Policy Framework.

Lighting

1. The proposed illumination shall be below 4000k spectrum to provide warm illumination more suitable to the designated heritage assets and shall be retained as such thereafter.

Reason: To ensure the visual amenity of the designated heritage assets from any unacceptable visual harm and to comply with the Craven Local Plan

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. 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.

Proposer: Councillor Sutcliffe

Secunder: Councillor Brown

Voting: 8 for approval.

(Councillor Pringle did not vote on this application on a point of principle. He asked that it be recorded that he was aware of many constituents whose applications had gone on for months if not years and had been made aware of application 22975 from June 2021 that had not been determined even though the applicant was not causing the hold up. Craven District's application was dated 4th February 2022 and he believed that the Council's own applications should not be treated any different from anyone else's. Councillor Pringle wanted to see the backlog of applications determined before we dealt with our own applications.)

2022/23639/LBC – application to install new and replace existing lighting equipment with the heritage style designs within Skipton Heritage Action Zones. Zone 1: Victoria Square and 22 Sheep Street. Zone 2: Victoria Street. Zone 3. Hallams Yard and 2 Sheep Street and 60A High Street, Skipton. Members resolved to approve the application with the conditions set out below including an additional condition in order to ensure the visual amenity of the designated heritage assets from any unacceptable visual harm and to comply with the Craven Local Plan:

Conditions

Time Limit for Commencement

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Approved Plans

- 2 This permission relates to the following plans:

Location plan dated 20th December 2021
NYCC Lighting Equipment Plan dated 20th December 2021
NYCC Lighting Key dated 20th December 2021
NYCC Hallams Yard dated 20th December 2021
NYCC Victoria Street dated 20th December 2021
NYCC Hallams Yard dated 20th December 2021
NYCC Victoria Square dated 20th December 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 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed sequentially in accordance with the three phases shown on Location Plan dated 20th December 2021.

Reason: For the avoidance of doubt and to ensure that any phased development of the site takes place in an appropriate order and timetable in accordance with the policies contained within the Craven Local Plan 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 development shall be constructed in accordance with the materials detailed on the submitted application form and approved plans.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Craven Local Plan Policy ENV3 and the National Planning Policy Framework.

- 5 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the mortar to be used in the approved development shall comprise of hydraulic lime mortar NHL 3.5 mixed with an appropriate aggregate. No cement shall be added to the mortar.

Reason: To ensure the use of suitable materials which are sympathetic to the special architectural and historic character of the listed building and conservation area in accordance with the requirements of Craven Local Plan policy ENV2 and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Lighting

1. The proposed illumination shall be below 4000k spectrum to provide warm illumination more suitable to the designated heritage assets and shall be retained as such thereafter.

Reason: To ensure the visual amenity of the designated heritage assets from any unacceptable visual harm and to comply with 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.

Proposer: Councillor Sutcliffe

Seconder: Councillor Brown

Voting: 8 for approval.

(Councillor Pringle did not vote on this application on a point of principle. He asked that it be recorded that he was aware of many constituents whose applications had gone on for months if not years and had been made aware of application 22975 from June 2021 that had not been determined even though the applicant was not causing the hold up. Craven District's application was dated 4th February 2022 and he believed that the Council's own applications should not be treated any different from anyone else's. Councillor Pringle wanted to see the backlog of applications determined before we dealt with our own applications.)

Applications Refused

2021/22977/FUL – application for the construction of a new artificial grass pitch (AGP) with associated sports lighting, fencing and ancillary features at Ermysteds Grammar School, Gargrave Road, Skipton BD23 1PL.

Members debated the application in detail and had several concerns. Members were particularly concerned about the impact the sports pitch and 15m high floodlights would have on the Conservation Area as well as the neighbouring elderly persons' development which had balconies overlooking the proposed site, resulting in noise and light pollution. Members' also took into account that two statutory consultees had objected to the application. Skipton Town Council did not wish to see evening use till 9pm as that would be unacceptable to neighbouring residents. Sports England had also objected to the proposal that there would be community use outside school hours as there was no strategic need for wider community use of the proposed artificial grass pitch.

Counsel informed the Committee that if Members were to approve the application on the conditions as currently proposed, they were not the conditions that Sport England had stated they would withdraw their objection upon. Therefore, that would trigger the requirement under the 2021 Direction to notify the Secretary of State, who would either call the application in for the Secretary of State to decide or, if s/he did not wish to call it in, the Committee decision would stand.

Counsel further advised that statutory consultees do not determine applications, but the Local Planning Authority was required to give considerable weight to their objections, but were entitled

to depart from them if there was good reason to do. Members attention was drawn to those reasons as set out in the case officer's report.

The application was refused on the following grounds:

The proposed artificial grass pitch and 8 x 15m column sports lighting does not take into account the statutory consultee objections of Sport England regarding no community use and Skipton Town Council's objection to night time use. The proposal does not protect the amenity of neighbouring properties and the elderly persons' development and therefore is contrary to Policy ENV3(a) and ENV3(e) of the Craven Local Plan.

Proposer: Councillor Pringle
Secunder: Councillor Brown
Voting: 10 for refusal (unanimous)

Application 2021/23599/REM – application for reserved matters in connection with 2021/22523/OUT sought for scale, appearance of the dwelling, layout and landscaping on land to the North of Garden Close, Glusburn. (Site Visit) The Planning Committee resolved to refuse the application as they regarded the proposed dwelling was too high, large and overbearing. Members felt that it would be too dominant and the design was out of character with the smaller neighbouring properties. The application was refused on the following grounds:

The proposed dwelling, by reason of its scale would constitute a form of development that would be overly dominate and out of character with the neighbouring properties. The proposal is therefore contrary to the requirements of Policy ENV3 (b) of the Craven Local Plan and the requirements of paragraphs 126 and 130 of the National Planning Policy Framework.

Proposer: Councillor Pringle
Secunder: Councillor Sutcliffe
Voting: 7 for; 2 against; 1 abstention.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 2 February 2022 and 3 March 2022.

PL.1070

ANY OTHER BUSINESS

The Chairman asked Members to give their views on having site visits on a different day from that of the Committee day. For the past few months, site visits had been held on the Wednesday, the week before the Committee and they were working well.

Resolved – That, site visits are held on a Wednesday the week before the Committee and that the dates are included in the Calendar of Meetings for 2023/23.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 11th April 2022.

Chairman.