

PLANNING COMMITTEE

5 September 2022

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

Officers – Legal Advisor (Kings’ Chambers, Manchester), Planning Manager, Principal Planning Officer, 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, Place and Pringle.

Ward Representatives: Applications 2022/23886/FUL & 2021/23532/FUL Councillors Brockbank and Handley. Application 2021/23571/FUL Councillor Lis. Application 2022/23773/FUL Councillor Barrett.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 13th June 2022 were approved as a correct record and signed by the Chair.

Start: 1.30pm

Finish: 4.33pm

A short comfort break was taken by the Committee at 3:58pm.

PL.1075

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

Councillor Brown was lobbied for applications 2022/23886/FUL and 2021/23532/FUL and against application 2022/23773/FUL.

PL.1076

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2022/23886/FUL –	Ms Janet Brook (on behalf of the objectors) Mr Stuart Booth (applicant)
Application 2021/23532/FUL -	Mr Stuart Booth
Application 2021/23571/FUL -	Mr Andrew Pelling (on behalf of the applicant)
Application 2022/23773/FUL -	Mr Phil Morris (for the objectors) Mr Mike Smith (for the applicant)

PL.1077

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permissions Refused

Application 2022/23886/FUL – application for the erection of 47 no. residential dwellings and associated infrastructure on land to the North of Springfield Crescent, High Bentham, Lancaster.

This application had been referred to Planning Committee at the discretion of the Planning Development Manager as it was pertinent and identical to application 2021/23532/FUL (below) that was currently the subject of an appeal against non-determination as the Council had failed to give notice of its decision within the appropriate time period.

The application was recommended for refusal and the analysis and reasons were set out in the case officer's report.

Following the case officer's presentation, Members discussed the application and it was unanimously refused for the following reasons:

1. The proposed development in the absence of any robust or credible evidence by virtue of the density and mix would result in an unacceptable form of development that is contrary to the requirements of Policy SP3 of the Craven Local Plan.
2. The proposed development would appear contrived and out of keeping with the established pattern and character of the surrounding area and incongruous by virtue of the siting, appearance and scale of the dwellings, and the amenity spaces thus the development does not represent high-quality design. As such, the proposal does not positively contribute to the overall quality of the area, contrary to Policies ENV3 and SP7 of the Craven Local Plan, the National Design Guide or the National Planning Policy Framework.
3. In the absence of any details to demonstrate a biodiversity net gain or mitigation off-site measures the proposed development fails to comply with the requirements of Policy ENV4. Failure to demonstrate any net gain or mitigation measures is contrary to Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.
4. In the absence of any details to demonstrate the management and maintenance of the surface water system for the lifetime of the development to reduce the risk of flooding, the proposed development fails to comply with the requirements of Policy ENV6 and the National Planning Policy Framework.
5. The proposed development, by reason of type and location of the proposed affordable housing fails to provide a fully integrated scheme. The proposal is therefore contrary to Policy H2 of the Craven Local Plan, also the Council's adopted Affordable Housing Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

Proposer: Councillor Handley.

Seconder: Councillor Heseltine.

Voting: unanimous refusal of the application.

Application 2021/23532/FUL – application for the erection of 47 no. residential dwellings and associated infrastructure on land to the North of Springfield Crescent, High Bentham, Lancaster.

This application has been referred to Planning Committee at the discretion of the Planning Development Manager. This application was currently the subject of an appeal against non-determination as the Council had failed to give notice of its decision within the appropriate period. The appeal lodged with the Planning Inspectorate had become valid would be heard by written representations.

The Planning Development Manager informed the Planning Committee that the Council could not now issue a decision notice as the outcome of the application would be determined by a

Planning Inspector appointed by the Secretary of State. He requested that the Planning Committee make a decision as this would help inform the Council's case for the appeal.

On the basis of the merits of the case, it was considered that, should a formal recommendation have been made to the Planning Committee, it would have been one of refusal as the development was contrary to the Craven Local Plan and Members were asked to determine the application.

Members discussed the application and voted unanimously to refuse the application for the following reasons:

1. The proposed development in the absence of any robust or credible evidence by virtue of the density and mix would result in an unacceptable form of development that is contrary to the requirements of Policy SP3 of the Craven Local Plan.
2. The proposed development would appear contrived and out of keeping with the established pattern and character of the surrounding area and incongruous by virtue of the siting, appearance and scale of the dwellings, and the amenity spaces, thus the development does not represent high-quality design. As such, the proposal does not positively contribute to the overall quality of the area, contrary to Policies ENV3 and SP7 of the Craven Local Plan, the National Design Guide or the National Planning Policy Framework.
3. In the absence of any details to demonstrate a biodiversity net gain or mitigation off-site measures, the proposed development fails to comply with the Policy ENV4. Failure to demonstrate any net gain or mitigation measures is contrary to Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.
4. In the absence of any details to demonstrate the management and maintenance of the surface water system for the lifetime of the development to reduce the risk of flooding for the proposed development, fails to comply with the requirements of Policy ENV6 and the National Planning Policy Framework.
5. The proposed development, by reason of type and location of the proposed affordable housing, fails to provide a fully integrated scheme. The proposal is therefore contrary to Policy H2 of the Craven Local Plan, also the Council's adopted Affordable Housing Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

Proposer: Councillor Handley.

Secunder: Councillor Heseltine.

Voting: unanimous refusal of the application.

Application 2021/23571/FUL – application for the erection of a new two-storey, split-level, 3 bedroom house with private garden and off-street parking on land adjacent to 1 Manor Close, Ingleton, LA6 3BF.

Further to the case officer's report and presentation, Members debated the proposals before development and took into account the recommendation to approve the application. The Committee noted that, for the purposes of the Craven Local Plan, the application site was not a designated housing site and was designated as a rural area.

The Committee considered the planning history of the site and that two previous applications had been dismissed on appeal to the Planning Inspectorate.

Members observed that whilst the proposed dwelling appeared to be of good design, they commented that the rural aspect of the area would be lost and the character of the surrounding area would be damaged. The Committee remarked that the application site was part of a grass verge that was integral to the street scene and that the land should remain green as this was the intention when the original homes were built.

Resolved – That the application is refused because of an unacceptable adverse impact on the character of the street scene and surrounding area including the open aspect of Low Demesne. (The actual wording to be formulated by the Planning Manager.)

Proposer: Councillor Ireton.
Seconder: Councillor Heseltine.
Voting: 8 for refusal; 1 for approval.

Application 2022/23773/FUL – revised description – conversion and reconstruction of two barns as two dwellings and the construction of three new dwellings with off street parking and associated infrastructure at Town End Barn, Colne Road, Glusburn.

The application had been deferred from the previous visit to enable a site visit to be undertaken by the Planning Committee. The proposal related to the conversion of two former agricultural barns and the construction of three market dwellings with associated off-street parking and infrastructure.

Having all the facts before them and taking into account the information gathered from the site visit, Members debated the application. Due to the intensification of vehicles exiting Beanlands Drive onto Colne Road, Members had highway safety concerns and in this regard, an officer from North Yorkshire County Council attended in person. He reiterated his written comments contained in the case officer's report that the revised access plans were considered acceptable, the sight lines were appropriate and suitable and didn't cause the Highways Authority any concerns. In addition, Beanlands Drive had been developed for many years and the Highways Authority had no recorded incidents of any sort or complaints received regarding the junction in question.

Members also discussed the potential for increased surface water flooding that could affect the properties on Colne Road that backed onto the site and that as the barns were in such a dilapidated state it would be impossible to retain their character.

Resolved – That the application is refused for the following reasons:

- (1) In the absence of any evidence that the proposed surface water attenuation tank would not result in surface water flooding, the proposal is considered to be contrary to Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.
- (2) The proposal, due to the intensification of vehicles, would have an adverse impact on highway safety as vehicles exit Beanlands Drive onto Colne Road. The proposal is therefore considered to be contrary to Policy INF7 of the Craven Local Plan and the National Planning Policy Framework.
- (3) The proposed conversion of the two barns on the site to form residential accommodation would not retain the character of the barns and thus is contrary to Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

Proposer: Councillor Heseltine.

Seconder: Councillor Sutcliffe.

Voting: 4 for refusal; 3 against refusal; 2 abstentions.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 24 June 2022 and 24 August 2022.

PL.1078 **QUARTERLY PLANNING PERFORMANCE MONITORING REPORT**

The Strategic Manager for Planning and Regeneration submitted a report informing Members of performance of the development management services during the quarter April to June 2022.

Members discussed the various statistics in the report and the Planning Manager answered Members questions. The review demonstrated an improvement in performance in the last quarter in that 80% of non-major applications were reached within 8 weeks or an agreed extension of time, up by 6% on the previous quarter.

The Planning Manager informed Members about the staffing arrangements in the planning development team which would facilitate improved performance going forwards.

Resolved – That, the report is noted.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 3rd October 2022.

Chairman.