

PLANNING COMMITTEE

3 October 2022

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

Officers – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Principal Planning Officer, Senior 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 Handley, Harbron and Place.

Ward Representatives: Application 2022/23654/HH Councillor Noland. Application 2021/23443/FUL Councillor Brockbank. Application 2021/23291/FUL Councillors Myers and Noland.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 5th September 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.1079

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

Councillors Brown, Ireton, Lis, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe were lobbied for and against application 2022/23654/HH. Councillors Brown, Lis, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe were lobbied for and against application 2021/23443/FUL and Councillor Ireton was lobbied in favour only. Councillors Brown, Ireton, Lis, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe were lobbied for and against application 2021/23291/FUL.

PL.1080

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2022/23654/HH – Mr Stuart Hart (on behalf of the objectors)

Application 2021/23443/FUL - Mr Gerald Townson (on behalf of the objectors)
Mr Simon Ward (applicant)

Application 2021/23291/FUL - Mrs Jenny Andrews (Stirton with Thorlby Parish Council)
Mrs Jill Wilson (on behalf of the objectors)
Mr James Cox (for the applicant)

PL.1081

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permissions Granted

Application 2021/23443/FUL – application for the replacement of existing buildings with construction of storage building and use of land for display, sales and storage at warehouse, Wenning Mill, Wenning Avenue, High Bentham, LA2 7LW.

This application had been recommended for refusal by the Planning Manager because the demolition of the former mill warehouse would represent the almost total loss of the non-designated heritage asset and would have an adverse visual impact on the street scene contrary to the Craven Local Plan and the National Planning Policy Framework

However, following a site visit and considering all the information presented to them at Committee, Members approved the application subject to conditions being imposed for raising the height of the east boundary wall to a minimum of 3m; enhanced sustainable design for roof (e.g. solar panels or green roof); historic record of the former mill building. All other conditions to be formulated by the Strategic Manager for Planning and Economic Development.

Proposer: Councillor Pringle.
Secunder: Councillor Brown.
Voting: Unanimous for approval.

Permissions Refused

Application 2022/23654/HH – application for proposed parking spaces with new retaining walls, single storey extension to side and rear and link to existing garage and dormers to front and rear at 34 Raikeswood Road, Skipton BD23 1NB.

The case officer's report explained that the application in principle was considered acceptable and the proposal had been considered against all material consideration that arose from the development. Whilst there were some amenity impacts upon the neighbour to the north but they were not felt significant enough to warrant a refusal and the application was recommended for approval.

Members had undertaken a site visit and following the case officer's presentation, Members discussed the application and it was refused for the following reasons:

1. The proposed extension by virtue of its size and position would appear as an oppressive and overbearing feature which would have a detrimental impact upon the amenity of the neighbouring occupiers to the north through loss of outlook. The development is therefore contrary to the requirements of Craven Local Plan Policy ENV3 and paragraph 130(f) of the National Planning Policy Framework.
2. In the absence of any details to demonstrate a biodiversity net gain or mitigation 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.

Proposer: Councillor Brown.
Secunder: Councillor Morrell.
Voting: 5 for refusal; 4 against refusal.

Application 2021/23291/FUL – application for the construction of a roadside services facility comprising a petrol filling station, electric vehicle charging, car wash and ancillary retail kiosk, alongside parking, servicing area and access arrangements on land between A59 and Gargrave Road, East of the Gargrave roundabout, Skipton.

The report recommended approval of the application as, on balance, there were no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the National Planning Policy Framework. During the meeting, an email from NYCC Highways' Officer was circulated to Members which confirmed that the Highways Authority were not seeking a contribution to the widening of Gargrave Road as set out in the Jacobs reports. He also stated that whilst generating some new trips, the service station would primarily cater for vehicles already on the road and as such would have less of an impact than housing sites. Therefore, the proposed high measures within the application were deemed to satisfy the Highways Authority.

Members discussed the application and voiced concern about the loss of local green space and open character of the area which was valuable to the local community. The site had been identified in the Craven Local Plan as a designated local green space and development should only be allowed in exceptional circumstances and even then the character of the green space had to be retained. Members did not feel that a petrol filling station could be construed as an exceptional circumstance and that the design, scale and mass of the development would not preserve the open character and therefore was contrary to the requirements of the Craven Local Plan.

In addition, Members expressed disquiet about the detrimental impact the proposed egress and off-site highway works would have on existing highway safety. Several Members highlighted the long queues of traffic that already accumulated at peak periods and an additional roundabout would exacerbate the situation.

Members noted that there was an absence of a biodiversity management plan and therefore the application did not demonstrate any off-site provision for bio-diversity net gain and the proposed development failed to comply with the Craven Local Plan.

Furthermore, Members noted the lack of a retail impact assessment, which would show if there would be any impact on local and town centre retail developments and therefore failed to comply with the Craven Local Plan.

After the debate had concluded, Members voted to refuse the application for the following reasons:

1. The proposal by virtue of its design, scale and mass, fails to preserve the open character of the local green space and is therefore contrary to the requirements of the Craven Local Plan Policy ENV10 and the aims and objectives of the National Planning Policy Framework.
2. The proposed development, by reason of the design and layout of the proposed vehicle egress and off-site highway works would have a detrimental impact on existing highway safety. The proposal is therefore considered contrary to the requirements of the Craven Local Plan INF7 and the aims and objectives of the National Planning Policy Framework.
3. In the absence of a biodiversity management plan demonstrating any off-site provision for biodiversity net gain, the proposed development fails to comply with the requirements of Policy ENV4 and the aims and objectives of the National Planning Policy Framework.
4. In the absence of a retail impact assessment, the proposal fails to demonstrate the impact on local and town centre retail developments and is contrary to the requirements of the Craven Local Plan Policy EC5 and the aims and objectives of the National Planning Policy Framework.

Resolved – That, the application is refused

Proposer: Councillor Sutcliffe

Seconder: Councillor Brown

Voting: 6 for refusal; 3 for approval.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 25th August 2022 and 23rd September 2022.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 31st October 2022.

Chairman.