

PLANNING COMMITTEE

19th December 2022

Present – The Chairman (Councillor Lis) and Councillors Heseltine, Ireton, 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 Brown and Harbron.

Ward Representatives: Application 2022/23854/FUL - Councillor Brown made his representations by video link.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 28th November 2022 were approved as a correct record and signed by the Chair.

Start: 1.30pm

Finish: 3.34pm

PL.1086

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

Councillor Sutcliffe had been lobbied against application against 2022/23854/FUL.

PL.1087

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2022/23854/FUL – Mrs Kath Clark (on behalf of Cononley Parish Council)
Mrs Katie Smith (on behalf of the objectors of Meadow Close)
Mr Marcus Whitmore (on behalf of the applicant)

PL.1088

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permission Granted

Application 2022/24445/REG4 – application to install new and replace existing lighting equipment with heritage style designs at various locations as part of Skipton’s Heritage Action Zone improvement programme.

Resolved – That the application is GRANTED subject to the following conditions:

Conditions

Time Limit for Commencement

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended to the Planning Compulsory Purchase Act 2004.

Approved Plans

2. The permission relates to the following plans:
 - o Site Location Plan. Received 28th September 2022.
 - o Lighting Details. Received 28th September 2022.
 - o Lighting Key. Received 30th November 2022.
 - o Lighting Equipment. Received 30th November 2022.
 - o Heritage, Design and Access Statement. Received 28th September 2022.

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 2012-2032 and the National Planning Policy Framework.

During Building Works

3. The development hereby approved will be constructed with the materials detailed on the 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.

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.

Proposer: Councillor Rose.

Seconder: Councillor Ireton.

Voting: unanimous for approval.

Permission Refused

Application 2022/23854/FUL – application concerning amended description: construction of 25 no. dwellings with off street parking and associated infrastructure at land off Meadow Lane/Moorfoot Lane, Cononley.

In addition to the case officer's report, a late information report was circulated to Members of the Committee and published on the Council's website. The Chairman indicated to the public present that the Committee had been to visit the application site to get a better understanding of the layout and features of the site.

The application had been called-in by Councillor Brown for determination by Planning Committee. The case officer's report stated that the amended proposal was now considered to be generally in line with Local Plan policy and national guidance and would create an attractive scheme with sustainable and biodiversity benefits as well as providing contributions towards open space and education. The overall planning balance was one of approval subject to a S.106 Agreement to achieve the financial contributions and other benefits including the planning conditions set out in the report.

Members debated the application in detail and made the following observations/comments:

- Considerable concern was expressed that the proposal failed to provide any affordable housing.
- The proposal did not provide a suitable density and mix of housing;
- The proposal would give rise to parking and congestion on the adjacent road network but specifically Meadow Close;
- The proposal fails to deal adequately with flooding on the site;
- The layout and design of the proposed residential development would cause harm to the setting of the Cononley Conservation Area and nearby Grade II listed barn.
- The proposal did not incorporate adequate renewable and low carbon energy sources; and
- There would be a loss of amenity to the occupiers of Meadow Close.

In debating the merits of the application including policies SP4 and SP11, Members were advised by the Planning Manager that they were not relevant to this particular proposal. Although it was acknowledged that Cononley had exceeded its housing growth target, SP4 was not to be construed as a maximum and was only pertinent if proposed developments were on greenfield sites outside the main built up areas. SP11 is a policy related to the management of planned spatial strategy (growth) and was not applicable in this particular instance.

Resolved – That, the application is REFUSED as the proposed development had not satisfactorily demonstrated that the proposals were acceptable in terms of the following requirements:

(i) Affordable Housing Contributions:

The proposal fails to provide any affordable housing contributions. Accordingly, the proposals are not compliant with Policy H2: Affordable Housing of the Craven Local Plan 2012-2032.

(ii) Housing Density and Mix

The proposal would not provide a suitable density and mix of housing having regard to Policy SP3: Housing Mix and Density of the Craven Local Plan 2012-2032 and the evidence behind it. The proposal significantly conflicts with the aims of the development plan to ensure the effective and efficient use of land to address local housing needs.

(iii) Highway Safety

The proposal would give rise to parking and congestion on the adjacent road network, specifically Meadow Close, thereby presenting an adverse impact on highway safety and residential amenity contrary to Policies ENV3: Good Design and INF4: Parking Provision of the Craven Local Plan 2012-2032.

(iv) Adequate Flood Mitigation:

The proposal fails to deal adequately with flooding on the site contrary to the requirements of Policy ENV6: Flood Risk of the Craven Local Plan 2012-2032.

(v) Heritage (impact upon setting of Conservation Area and listed building):

The proposals, by reason of the layout and design of the proposed residential development, fails to overcome the less than significant harm to the setting of the Cononley Conservation Area and nearby Grade II listed barn. For these reasons the development does not comply with the requirements of Policy ENV2: Heritage of the Craven Local Plan 2012-2032.

(vi) Provision of Renewable Energy e.g. solar panels

The proposals fail to incorporate adequate means of optimising renewables and low carbon energy sources and thereby fails to comply with Policy ENV9: Renewable and Low Carbon Energy of the Craven Local Plan 2012-2032.

(vii) Impact Upon Residential Amenity

The proposals will give rise to a loss of amenity to the occupiers of Meadow Close contrary to Policy ENV3(f) of the Craven Local Plan 2012-2032.

- (viii) The proposed development exceeds the limited growth identified in Policy SP11 of the Craven Local Plan 2012- 2032. The occupiers of the proposed dwellings would place an unacceptable impact on the basic services in the village which are already at capacity”.

Proposer: Councillor Pringle
Seconder: Councillor Heseltine
Voting: 6 for refusal; 2 against refusal.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new enforcement cases registered between 18th November 2022 and 8th December 2022.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 16th January 2023.

Chairman.