

PLANNING COMMITTEE

16th January 2023

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

Officers – Legal Advisor (Kings’ Chambers, Manchester), Planning Manager, Planning Officer x 2 and Senior Democratic Services Officer.

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

Ward Representatives: Application 2022/23850/REG3 - Councillor Staveley.

Confirmation of Minutes:

The draft minutes of the meeting held on 19th December 2022 were debated by Members in relation to application 2022/23854//FUL. Councillor Brown specifically referred to how the Committee’s decision was recorded about the affordable housing contributions which he felt should be corrected as the Committee had concluded that the development did not comply with Local Plan policies.

The Planning Manager suggested how the minutes could be changed to address Councillor Brown’s points as follows:

1. Reason (i) The proposal fails to provide any affordable housing contributions and does not provide justification to overcome the requirements for this provision. Accordingly, the proposals are not compliant with Policy H2: Affordable Housing of the Craven Local Plan 2012-2032. Delete the words “and does not provide justification to overcome the requirements for this provision”.
2. Reason (vii) Include reference to “Policy ENV3(f)”.
3. Add “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” (this to become Reason (viii)).

Members discussed the above suggested amendments, and it was

RESOLVED – That, subject to the aforementioned changes being made to the minutes of the Planning Committee held on 19th December 2022, the revised minutes are signed by the Chairman as a correct record and circulated to Members of the Committee.

Start: 1.30pm

Finish: 3.34pm

PL.1089

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

The Chairman and Councillors Brown, Ireton, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe had been lobbied against application 2022/23850/REG3. The Chairman and Councillor Brown and Ireton had also been lobbied in favour of the application.

PL.1090

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2022/23850/REG3 – Councillor Taylor (on behalf of Settle Town Council)
Mrs Lyn Northrop and Dr Vesey (on behalf of the objectors)

PL.1091

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permission Granted

Application 2022/24477/LBC – application for the partial removal of a mid-20th century shop front to fully reveal the original arched opening to the ginnel at Hallam's Yard, Skipton, to include piecing-in missing stone and repainting overall using natural stone colour mineral paint.

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: 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 and documents:
 - o Drawing No 2091/02/21. Site Location Plan. Received 17th October 2022.
 - o Drawing No. 2091/02/20. Existing and Proposed Plans. Received 18th October 2022.
 - o Design and Access Statement. Received 18th October 2022.
 - o Heritage Statement. Received 18th October 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.

Before you Commence Development

- 3 Full details of the cutting back of the pilaster at a scale of not less than 1:20 shall be submitted for the written approval of the Local Planning Authority and thereafter the work shall be carried out in accordance with the approved details.

Reason: To ensure the implementation of appropriate methods 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.

During Building Works

- 4 The development hereby approved will be constructed in accordance 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 Heseltine
Secunder: Councillor Ireton
Voting: Unanimous for approval

Application 2022/24587/REG4 – application for the partial removal of a mid-20th century shop front to reveal the original arched opening to the ginnel at Hallam’s Yard, Skipton, piecing-in missing stone, repainting of the arch and ginnel and the provision of new bin stores in Hallam’s Yard.

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 by the Planning Compulsory Purchase Act 2004.

Approved Plans

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Voting: Unanimous for approval

Permission Refused

Application 2022/23850/REG3 – application for three 1 bedroom shared ownership flats and 3 commercial spaces at Ashfield Toilets, Kirkgate, Settle, BD24 9DZ.

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 referred to Planning Committee as the applicant was Craven District Council. The case officer's report stated that the proposal had been subject to a full assessment and was considered acceptable in principle and not considered to pose a significant impact on amenity and neither would the proposal result in a severe impact on visual amenity or highway safety.

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

- Craven District Council was promoting tourism and not providing facilities such as public toilets did not make sense.
- Proximity of the proposed development was very close to the garden wall of the listed Quaker Meeting House.
- The access to the proposed flats was by way of a ginnel next to the garden wall and appeared poorly designed.
- The proposal did not provide any allocated parking spaces.
- The proposed design was overbearing in scale and size and would impact neighbouring properties including the listed Quaker Meeting House and garden.
- The toilets had been closed for many years and the building was in a poor state and this development would be an improvement.
- Settle Town Council had been asked approximately 13 years ago if they wanted to take over the running of the toilets, but the offer was declined. Since then the toilets had remained closed and had become rundown.
- Small affordable homes were in short supply and were important.
- The proposal included the removal of a rare healthy Wych Elm tree in a conservation area.
- The proposal would result in the narrowing of the entrance to the car park impacting the street scene.

During the debate, the Planning Committee's Legal Advisor reminded Members that all consultees whether internal or external had a professional independent duty to deal with planning applications in an impartial and unbiased manner.

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:

1. The proposal by virtue of its design, scale, massing and footprint would have an adverse overbearing impact on neighbouring properties and the Grade II* Quakers Meeting House. The proposal would further fail to preserve or enhance the Conservation Area contrary to Policies ENV2 and ENV3 of the Craven Local Plan and the requirements of the National Planning Policy Framework.
2. The proposal fails to provide any off street parking spaces leading to an increase in demand for street parking contrary to Policy INF4 of the Craven Local Plan and the requirements of the National Planning Policy Framework.
3. The pedestrian access arrangements would not provide a safe secure and attractive environment for future occupants of the residential units and would be contrary to Policy ENV3 and the requirements of the National Planning Policy Framework.
4. The proposal would result in the loss of a community facility and no evidence has been submitted that all reasonable efforts have been made to retain the facility and to continue its use contrary to Policy INF2 of the Craven Local Plan and the requirements of the National Planning Policy Framework.
5. The proposed development would result in the loss of the Wych elm (*Ulmus Glabra*) makes a positive contribution to the character, appearance and setting of this part of the Conservation Area. The loss of this tree would be conflict with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework

Craven District Council

Proposer: Councillor Heseltine

Seconder: Councillor Morrell

Voting: 6 for refusal; 3 against refusal; 1 abstention.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new enforcement cases registered between 8th December 2022 and 5th January 2023.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 13th February 2023.

Chairman.