

## **PLANNING COMMITTEE**

26<sup>th</sup> October 2015

**Present** – The Chairman (Councillor Welch) and Councillors Dawson, Harbron, Heseltine, Jaquin, Kerwin-Davey, Lis (substitute for Brockbank), Mason and Sutcliffe.

**Ward Representative** – Councillor Barrett (Application 32/2015/15390 and 15768).

**Officers** – Development Control Manager, Solicitor, Principal Planning Officer (x2), Planning Officer and Committee Officer.

Start: 1.35pm

Finish: 4.57pm

Councillor Harbron left the meeting at 3.53pm

Councillor Mason left the meeting at 4.20pm

Councillor Heseltine left the meeting at 4.47pm

Duration of Meeting : In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours.

Apologies for absence were received from Councillors Brockbank, Green, Place and Andy Quinn.

The minutes of the Committee's meeting held on 28<sup>th</sup> September 2015 were confirmed and signed by the Chairman.

### **Minutes for Report**

PL.771

#### **PUBLIC PARTICIPATION**

The following persons addressed the Committee under its public participation scheme:-

Application 32/2015/15390 : Mr P Baker (Glusburn and Cross Hills Parish Council)

: Mr P Hargreaves (objector / for objectors applicant)

: Mr J Everett (for the applicants)

Application 32/2015/15768 : Mr P Hargreaves ((objector / for objectors applicant)

: Mr J Everett (for the applicants)

Application 63/2015/16035 : Mrs D Alderson (applicant)

Application 08/2015/15982 : Mrs S Cooper (objector / for objectors)

: Mr A Rosenberg (for the applicant)

Application 12/2015/16126 : Mr S Joy (on behalf of the Chairman of Broughton Parish Meeting)

: Mr J Howard (applicant)

Application 32/2015/16020 : Mr S Banks (applicant)

PL.772

#### **APPLICATIONS FOR PLANNING PERMISSION**

##### **a. Delegated Matters**

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission within the three areas of the District indicated which had been dealt with under delegated authority.

North Craven Area

15/2015/16088 Increase in ridge height to accommodate loft conversion including 5 no. rooflights, an additional window at first floor level to North East and South West elevation, 7 Greta Heath, Burton In Lonsdale – Conditional approval.

18/2015/16094 Proposed extension of agricultural building, Tewitt Hall Farm, Newby, Clapham – Conditional approval.

31/2015/16079 Construction of agricultural building to house livestock (sheep), Brackenber Cottages, Brackenber Lane, Giggleswick – Conditional approval.

31/2015/15580 Variation of condition 2 to previous application 31/2014/15013 Lord's Close, Giggleswick – Conditional approval.

31/2015/16000 Application to discharge condition no's 5, 9,10,12 on original planning consent reference 31/2011/11640, Lords Close, Giggleswick – Conditional approval.

42/2015/16149 Application to discharge condition Nos (2, Landscaping; 3, Boundary treatments; 4, Sample materials; 5, Sample walling; 6, Window and door detail) of original planning consent application ref 42/2014/14686 Lower Bend Gate, Back Lane to Long Preston Bridge, Hellifield – Conditional approval.

42/2015/16052 Proposed two storey side extension, 16 Park Place, Hellifield – Approval.

45/2015/16135 Replacement single storey extension to rear (south east) elevation and insertion of new bedroom window in north east gable Park Foot Farmhouse, Bentham Road, Ingleton – Conditional approval.

49/2015/16054 The change of use and conversion of redundant barns into 2 dwellings and studio/workshop with associated gardens and parking (re-submission of refused application 49/2014/15320) Lawkland Green Farm – Conditional approval.

49/2015/16105 Retrospective application for alterations to access drive Quakers Croft, Eldroth – Approval.

49/2015/16095 Change of use of agricultural land to extend domestic curtilage and construction of detached garage (resubmission of refused application 49/2015/15635) Bank End, Lawkland – Conditional approval.

62/2015/16046 Render and alter fenestration of north, west and south elevations, St Marys and St Michaels, The Presbytery, Tillman Close, Settle – Conditional approval.

62/2015/16127 Single storey extension to rear of property; change wood windows for aluminium (grey); make the window on the right hand side of front West elevation taller 10 Town Head Avenue, Settle – Conditional approval.

62/2015/16148(LB) Removal of 2 No internal partitions and the re-instatement of the former entrance gates, Linton Court, Duke Street, Settle – Conditional approval.

62/2015/16070 Application to discharge condition numbers 7, 9, 10, 14 and 19 of planning permission referenced 62/2014/14755 land to the rear of The Little House, Church Street, Settle – Split decision.

62/2015/15416 Application for a Lawful Development Certificate for the proposed use of offices as 3 No. dwelling houses, Kingsley, Station Road, Settle – Approved.

68/2015/15995 Conversion of barn to residential accommodation, Barn, Moffinber Farm, Westhouse – Conditional approval.

68/2015/15819 Proposed erection of managers accommodation lodge, Docklands Campsite, Docklands, Thornton in Lonsdale – Refusal.

68/2015/16132 Change of use of existing workshop and showroom to form 2 number new dwellings (re-submission of approved application 68/2014/15147), Halsteads Barn, Thornton in Lonsdale – Conditional approval.

72/2015/16121 Rebuild farmhouse (alternative re-sited proposal to that which previously received permission under Decision Ref No 72/2013/14048 New grid ref E379272 - N 455306), Higher Meresyke Farm, Lower Mere Syke, Plantation to Higher Mere Syke, Wigglesworth – Conditional approval.

72/2015/15718 Proposed conversion of barn to form 5 no. dwellings, construction of two storey garage/office building and detached garage building, Wigglesworth Hall Barn, Jack Lane to Wigglesworth Hall Farm, Wigglesworth – Conditional approval.

72/2015/15719(LB) Proposed conversion of barn to form 5 no. dwellings, construction of two storey garage/office building and detached garage building, Wigglesworth Hall Barn, Jack Lane to Wigglesworth Hall Farm, Wigglesworth – Conditional approval.

#### South Craven Area

21/2015/16022 Demolition of derelict barn and the construction of a pair of semi-detached dwellings along with private amenity area and off street parking for two vehicles for each unit, New Inn Fold Barn, New Inn Fold, Cononley – Conditional approval.

21/2015/16068 Material amendment to previously approved permission 21/2013/13321, St Johns Church Site, Main Street, Cononley – Conditional approval.

21/2015/16110 Removal of a PVC conservatory at rear of house and replace with single storey extension, 42 Meadow Lane, Cononley – Conditional approval.

22/2015/16114(LB) Proposed orangery, Carr Head Hall, Carr Head Lane, Cowling – Refusal.

22/2015/16029 Change of use of remainder of barn to residential and extension of existing house into barn to form additional accommodation, Cowlaughton Farm, Park Lane, Cowling – Conditional approval.

22/2015/16051 Resubmission of previous planning approval number 22/2014/15061 with amendment to reduce size of menage and to illustrate excavation levels Green Syke Farm, Cowling – Conditional approval.

22/2015/15671 Proposed change of use of agricultural land to equestrian use and creation of cross country course involving engineering operations to re-profile the agricultural land including importation of between 15,300 and 18,700 tonnes of loose soil (amended description and plans) Green Syke Farm, Colne Road, Cowling – Refusal.

22/2015/16109 Resubmission of previous application (22/2015/15696)- construction of a farm track and retention of field access, Mire Close Farm, Cowling – Conditional approval.

22/2015/16058 Single storey rear extension, 20 Sun Street, Cowling – Refusal.

22/2015/16045 First floor extension over existing garage and alterations to existing house to form additional accommodation, Green Syke Farm, Colne Road, Cowling – Approval.

22/2015/16111 Proposed orangery, Carr Head Hall, Carr Head Lane, Cowling – Refusal.

22/2015/15996 Construction of detached double garage, Park Farm Cottage, Park Lane, Cowling – Conditional approval.

25/2015/16059 Double garage extension, The Pump House, Moor Lane, Elslack – Conditional approval

28/2015/16129 Demolition of approximately 14m x 1.7m high drystone boundary wall to be replaced with a new stone wall, Barns' End, Main Street, Farnhill – Conditional approval.

32/2015/16049 To replace conservatory with sunroom to rear of property 71 Clayton Hall Road, Cross Hills – Approval.

32/2015/16087 Retrospective application for the construction of a stone clad weather shield to store a biomass pellets hopper, Lower Lingah Barn, Baxter Wood, Glusburn – Approval.

32/2015/16141 Non material amendment concerning a change of the external finish of the upper section of the South West Elevation from render above the existing stonework to cream (wood grained) horizontal UPVC boarding, land adjoining, 13 Hardings Houses, Hardings Lane, Cross Hills – Conditional approval.

53/2015/16137 Application to discharge condition 3 of previously approved application referenced 53/2015/15763, Stansfield House, 12 Rook Street, Lothersdale – Conditional approval.

53/2015/16069 Detached garage with games room and office over together with porch to existing dwelling, Rookwood, Raygill Lane, Lothersdale – Approval.

66/2015/16089 Construction of a new steel portal frame agricultural building and double garage, Bent Royd, Bent Lane, Sutton-in-Craven – Conditional approval.

66/2015/15869 Resubmission of previous application for removal of condition No's 6 and 9 of previous planning approval ref: 66/2007/7290 to allow property to be occupied as a dwelling without office use. Stable Cottage, Colne Road, Glusburn – Refusal.

69/2015/16067 Creation of new access to serve the existing dwelling, Thornton Hall Farm, Thornton in Craven – Conditional approval.

69/2015/16071 Application for an extension to the existing car park (the access road only is under the consideration of Craven District Council), Thornton Hall Farm, Thornton in Craven – Conditional approval.

73/2015/16144 Application to discharge conditions 3, 4, 5, 6, 7 and 8 of previously planning application 73/2015/15456 and listed building consent 73/2015/15457 Lane House, Skipton Road, Kildwick – Conditional approval.

#### Skipton Area

24/2015/16143 Crown thinning of 4 no. Sycamore trees, crown lift 1 no. Hornbeam, 1 Scots Pine and 2 no. Oak, The Pines, The Spinney, Draughton – No tree preservation order made.

26/2015/15886 Outline application for residential development with all matters reserved other than access (from Shires Lane), land south of Shires Lane, Embsay – Refusal.

26/2015/16178 Non-material amendment to approved application 26/2014/15312 to alter sloping roof above full height windows on principal elevation to hipped roof with tiles, 17 Shires Lane, Embsay – Conditional approval.

26/2015/16191 Non-material amendment application for previously approved application (26/2014/15020) concerning finish of external materials, 13 Low Bank, Emsay – Conditional approval.

26/2015/16086 Replacement of existing private detached double garage, 4 Low Lane, Emsay – Conditional approval.

30/2015/16133 Application to discharge conditions 3 and 5 of previously approved application referenced 30/2014/14812, 74 High Street, Gargrave – Conditional approval.

30/2015/16138 Application to discharge conditions 4 and 5 of previously approved application referenced 30/2015/15707 74 High Street, Gargrave – Conditional approval.

30/2015/16145 Conversion of garage to living accommodation and construction of first floor extension above, The Greenhouse, Eshton Road, Gargrave – Approval.

34/2015/15832 Variation of conditions 2 and 3 of approved application 34/2014/15117 to allow alterations to building materials, Dyneley House, Chapel Lane, Halton East – Conditional approval.

34/2015/16186 Erection of a feed storage silo on an existing yard area (Prior Approval Application), Crakelands Farm, Green Lane, Halton East – Permission not required.

63/2015/16140 Sub-division of existing first floor flat into 2 no. 2 bedroom flats, Rockvilla, 1-3 Clifford Street, Skipton – Conditional approval.

63/2015/16120 Respective application for the painting of the exterior walls and shop front. 12 High Street, Skipton – Conditional approval.

63/2015/16128 Ground floor extension to form new lobby/WC and utility area 1 Pine Close, Granville Street, Skipton – Approval.

63/2015/15891 Proposed single storey extension to rear (resubmission of withdrawn application referenced 63/2015/15340), 26 Gargrave Road, Skipton – Approval.

63/2015/16117 Listed building consent application for new internal doorway, Skipton Railway Station, Broughton Road, Skipton – Conditional approval.

63/2015/16167 Single storey rear extension, measuring 6.00m beyond the rear wall ; 3.84m in height from ground level; 2.36m in height to eaves from ground level - masonry walls/slate room (Prior Approval Application), 83 Raikes Road, Skipton – Prior approval not required.

63/2015/16082 Application to discharge condition number 4 of planning approval 63/2012/12515 relating to external walling materials, Water Street, Skipton – Conditional approval.

63/2015/15969 Discharge of condition 3 to planning approval 63/2012/12610, Snaygill Industrial Estate, Keighley Road, Skipton – Conditional approval.

65/2015/16085 Replace existing windows, 11 Aireville Grange, Gargrave Road, Skipton – Conditional approval.

## **b. Applications**

**Resolved** – That decisions on applications for planning permission are made as follows: -

### **Permission Granted**

**24/2015/15636 Reserved matters application for construction of two family homes as granted in outline consent referenced 24/2013/14195, former quarry, Low Lane, Draughton –** subject to the conditions listed below and to inclusion of an additional, appropriately worded, informative regarding the need to protect what is understood to be an unusual geological feature located to the rear of the site.

#### Summary of Conditions

1. The development shall not be carried out other than wholly in accordance with the location plan and house type (revision A) received by the local planning authority on 15<sup>th</sup> July 2015, existing and proposed site plan (revision A) received 22<sup>nd</sup> September 2015 and existing and proposed site sections received 27<sup>th</sup> March 2015 and also the landscaping plans and planting schedule received on 22<sup>nd</sup> September 2015.

The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

2. Prior to their first use all building facing materials and finishes, surface material finishes for highways, footpaths, private drives and all other hard surfaces, screen walls, fences and other means of enclosure shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details thereafter.

3. Prior to the commencement of development a full site survey shall be carried out and details of the existing and proposed ground levels proposed and the proposed finished floor levels shall be submitted to the local planning authority for approval. The development shall be completed in accordance with the approved details thereafter.

#### Informatives:

1. The developer should note that this planning approval is for reserved matters relating to outline planning permission Ref: 24/2013/14195 and that condition nos. 8, 9 and 10 of that outline permission must be discharged before the commencement of development.
2. The developer should note that Condition nos. 8, 9 and 10 of the outline planning permission (ref: 24/2013/14195) and condition 2 and 3 of the reserved matters approval (ref: 24/2015/15636) will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. In particular the Council has

- engaged in pre-application discussions
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation

**32/2015/16020 Application for change of use from A1 (retail) to A4 (drinking establishment). premises to be used as a micropub, 1 East Keltus, Main Street, Cross Hills.**

## Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The approved plans comprise Plan Number Drawing 16020, 16020/1, 16020/2 & 16020/3 (annotated by the case officer for clarification) received by the Local Planning Authority on the 17<sup>th</sup> July 2015. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
3. The A4 use hereby approved shall not be open for business on any day of the week outside of Monday to Saturday: Noon – 23:00 hrs. and Sunday: Noon – 22.30 hrs.
4. Prior to the development first being brought in to use, provision shall be made for storing commercial waste relating to the A4 use in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved waste materials storage facilities scheme shall be operated in accordance with the approved details.
5. No hot food shall be sold from the premises at any time whatsoever.
6. No amplified music shall be produced or played within or outside of the premises.

## Informatives

1. The applicant is advised that this permission does not override the need to obtain a licence under the Licensing Act 2003. Please contact the Council's Licensing team for further information. Their address is Licensing Team, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ (telephone 01756 706251). This planning permission is for the change of use of the building only and does not authorise any other development works or the display of advertisements which may require planning permission or advertisement consent.
2. The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/developer is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development of development to ensure that effective monitoring can be undertaken.
3. With regard to Condition Nos. 4 above please note that it will be necessary to submit a formal application to discharge the conditions.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework.

**63/2015/16035 Change of use from residential back to commercial. change window and door at front to open shop window and glass door, install canopy above window and door with logo, 12 Gargrave Road, Skipton.**

## Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission
2. The development shall not be carried out other than wholly in accordance with the drawings and details received by the Local Planning Authority on 21st July 2015. The development shall be completed in accordance with the approved plans (including the construction material for the new shop front and finished colours for both the shop front and canopy) except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
3. Prior to its first installation full elevation drawings produced to a recognised metric scale and detailing the external appearance of the proposed shop front, canopy, and any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved plans.
4. The use hereby permitted shall only operate between the hours of 0900 to 1800 from Monday to Friday with the exception of one day per week to be approved in writing with the local planning authority when the premises shall be open from 0900 to 1930. The premises shall be open from 0900 to 1500 on Saturdays and not at all on Sundays and Bank Holidays.
5. All customers accessing and egressing the premises shall only use the front access door (off Gargrave Road) and no other entrance / exit.

## Informatives

1. With regard to Conditions No. 3 and 4 above please note that it will be necessary to submit a formal application to discharge the condition. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.
2. Separate consent may be required for any advertisements to be erected at the premises under the Town and Country Planning (Control of Advertisements) Regulations 2007.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. In particular the Council has

- engaged in pre-application discussions
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation. (\*)

## **Permission Refused**

**08/2015/15982 Installation of solar farm and associated infrastructure (with a potential capacity of 3.8mw of electricity at its peak). re-submission of 08/2015/15473, land south of Ravens Close Brow, Low Bentham.**

## Reasons for Refusal

The proposed solar farm would be located in attractive undulating open countryside with the Yorkshire Dales National Park to the north east and the Forest of Bowland Area of Outstanding



Natural Beauty to the south west. The development would be visually intrusive and cause significant harm to the intrinsic character and beauty of the landscape. The Local Planning Authority considers that the adverse visual impact of the development would significantly and demonstrably outweigh the benefits of approving the development and the proposal is therefore contrary to Planning Policy within the National Planning Policy Framework.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. (\*)

**12/2015/16126 Retrospective application for retention of replacement agricultural building (re-submission of refused application 12/2015/15723), New Laithe Barn, Newton Grange Farm, Bank Newton.**

Reasons for Refusal

The National Planning Policy Framework advises at Paragraph 14 that development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is not considered that, based upon the further supporting information provided with this application, a new building in this location was essential to the efficient operation of the farming business or to contribute to the rural economy. If an application had been made to the Council prior to the building's erection, it would instead have sought to ensure that the building was sited adjacent to the existing group of agricultural buildings at the farm which would have had less impact on the open countryside. It is therefore considered that this development is unacceptable in principle as it constitutes sporadic unjustified development in a rural open countryside location and this adverse impact is considered to outweigh the benefits of approving development. The development is therefore not considered to meet the requirements of the Council's Saved Local Plan Policies ENV1 or ENV13 or the NPPF including one of the NPPF's core planning principles of preventing development that would be harmful to the intrinsic open character of the countryside.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. In particular the Council has: -

- engaged in pre-application discussions.
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation. (SV) (\*)

(Cllr Mason declared an interest in the above application under Paragraph 15 of the Council's Code of Conduct indicating that he knew the applicant and had also conducted business with him, he withdrew from the meeting taking no part in the discussion and voting thereon.)

(Councillors Dawson and Sutcliffe both indicated that the applicant was known to them, but having considered their relative positions in terms of possible perception of conflict, and Paragraph 15 of the Council's Code of Conduct stated that they would participate in the discussion and voting thereon.)

**32/2015/15390 Application to remove condition no. 11 and to vary condition nos. 4, 5 and 17 of planning permission ref: 32/2011/11429 granted on appeal under ref: App/C2708/A/11/2165968 (revised description), Green End, Green Lane, Glusburn – the Strategic Manager for Planning and Regeneration was authorised to formulate reasons, as appropriate, based on grounds that in approving application 32/2011/11429 on appeal, the Planning Inspector imposed conditions which the Committee believes were intended to secure a development appropriate for the site and in keeping with its surroundings, the Committee has not seen or heard anything which it considers justifies setting aside or varying the conditions imposed.**

(\*) Note : During the course of the discussion a motion to approve this application, as recommended, was lost

**Consideration Deferred**

**32/2015/15768 Application for reserved matters for the appearance of 49 dwellings as approved in previous outline consent referenced 32/2011/11429, land on the east side of Green Lane, Glusburn** – to enable the position in respect of this application to be considered in light of the Committee’s decision to refuse consent (32/2015/15390) for the variation of conditions attached to the outline consent. (\*)

(\*Representations received were reported within the case officer’s report / were reported at the meeting. SV = Site visit held.)

PL.773

**PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 1<sup>st</sup> to 30<sup>th</sup> September 2015.

**Minutes for Decision**

- None -

Chairman.