

**PLANNING COMMITTEE**

20<sup>th</sup> October 2014

**Present** – The Chairman (Councillor Welch) and Councillors Barrington, Brockbank, Green, Harbron, Hart, Jaquin (substitute for Councillor English), Kerwin-Davey, Mason, Place and Sutcliffe.

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

Apologies for absence were received from Councillors English and Quinn.

Start: 1.40pm

Finish: 3.05pm

The minutes of the Committee's meeting held on 22<sup>nd</sup> September 2014 were confirmed and signed by the Chairman.

**Minutes for Report**

PL.733

**PUBLIC PARTICIPATION**

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

Application 22/2014/14631 : Mr D Crimes (objector / for objectors)

PL.734

**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

08/2014/14954 The installation of new air conditioning condensers and refrigeration plant units and acoustic screen to rear of building, United Co-Operatives Late Shop, Main Street, Bentham – Conditional approval.

08/2014/14917 Replacement of existing approved dwelling, reduced in size - Resubmission of 08/2013/14213, Nutgill Lane, High Bentham – Conditional approval.

08/2014/14936 Erection of a single storey porch extension, Waterford Farm, Mewith, High Bentham – Approved.

08/2014/14895 Kitchen/ diner extension, measuring 5.8m beyond the rear wall; 4.0m in height from ground level; 2.5m in height to eaves from ground level, Whinmoor, Low Bentham Road, High Bentham – Permitted development, householder prior approval not required.

18/2014/14931 Demolition of existing garage and lean-to extension to south elevation, construction of new detached garage, and proposed porch to south elevation, Pedmore, Cross Haw Lane, Clapham – Approved.

31/2014/14942 Conversion and alteration of semi detached house to form 1 No dwelling, creation of new vehicular entrance and parking areas at the rear and extension of curtilage into adjoining land (re-submission of application 31/2014/14724), Brackenber Cottages, Brackenber Lane, Giggleswick – Conditional approval.

42/2014/14824 Construction of new single room first floor extension on top of existing ground floor extension, 40 Midland Terrace, Hellifield – Approved.

45/2014/14974 Fell 5 No Ash trees, The Brow, Main Street, Ingleton – Conditional approval.

45/2014/14975 Fell 1 No Corsican Pine, The Brow, Main Street, Ingleton – Conditional approval.

45/2014/14998 Discharge of condition 8 of planning approval 45/2010/10758 with regards to use of artificial "Redland Richmond 10 Slate Grey" slates on blocks 10 and 11 only, Disused Highways Depot, Back Gate, Ingleton – Conditional approval.

49/2014/14660 Screening opinion for 250KW wind turbine 30m mast with overall height of 45m tip with associated works, proposed wind turbine, Israel Farm, Israel Cottage, Lawkland – Environmental assessment not required.

49/2014/14995 Demolition of existing porch and replacement porch to rear; extension of living accommodation into adjacent stores; new window opening to East elevation and other associated minor window alterations, Bank End, Lawkland, Austwick – Conditional approval.

49/2014/14935 Listed Building consent for the demolition of existing porch and replacement porch to rear; extension of living accommodation into adjacent stores; new window opening to east elevation and other associated minor window alterations, Bank End, Lawkland – Conditional approval.

59/2014/14909 Retrospective application to discharge condition 7 to application reference 59/2009/9746 to use naturally finished oak frames to the doors and windows; alteration to the curtilage approved under application reference 59/2009/9746 (retrospective); and construction of timber stable block (Revised scheme of previous refused application 59/2014/14161), Holly Dene Farm, Rathmell – Conditional approval.

59/2014/14602(LB) Re-roof using existing blue burlington slates and replacing 4 No. glass slates with 4 No. conservation roof lights, Cross Keys House, Rathmell – Conditional approval.

59/2014/14830 Discharge of conditions 3 and 5 to previous approval 59/2013/13894, Brocklands Woodland Burial, Rathmell – Conditional approval.

62/2014/14911 Demolition of existing church and construction of 4 No terraced houses and car spaces (Outline - access, layout and scale), St Johns Methodist Church, Church Street, Settle – Conditional approval.

62/2014/14979 Change of use from A2 office to D1 Physiotherapy Clinic, 3 Commercial Court Yard, Settle – Conditional approval.

62/2014/14854 Fell 1 No Mature Beech T5 on plan (T4 on the TPO) and replace with semi mature tree, Ingfield Lane, Settle – Conditional approval.

63/2014/14944 1 No Oak - Crown lift by removing the lower level branches Fell View, 114 Princes Drive, Skipton – Conditional approval.

72/2014/14906 Alterations to a detached barn to widen the access door and provide additional side door, Teenley House, Wigglesworth – Approved.

72/2014/14907 Listed building consent for alterations to a detached barn to widen the access door and provide additional side door, Teenley House, Wigglesworth – Conditional approval.

72/2014/14967(LB) Replacement of ground floor construction to finish with Yorkshire flags, adding an extra lounge area by re-establishing the current store (ground floor C19 wing) to its presumed former use, generally improve comfort levels by improved lighting and heating systems, increasing energy efficiency by the above and the addition of thermal insulation, proceed with a maintenance regime to repair cracks in the external masonry, redecorate internally, by the application of new surface treatment to existing painted surface to provide a lighter visual environment, Crow Trees Inn, Bowland Fell Park, Tosside – Conditional approval.

#### South Craven Area

11/2014/14885 Replace dormer cheek cladding, soffits and fascias with siberian larch cladding, 13 Lidget Road, Low Bradley – Approved.

17/2014/14927 Construction of 2.4M x 2.8M summerhouse, Robin Hall, 10 Beck Side, Carleton – Application withdrawn.

17/2014/15022 Fell 1 No Hazel, 8 Garden Terrace, Carleton – No TPO made.

21/2014/14925 Re-submission of previous planning application ref: 21/2014/14542 for residential development, The Barn, Crag View, Cononley – Refusal.

21/2014/14963 Variation of conditions no. 2 and no. 6 relating to approved plans and barge boards of approved planning application Ref: 21/2014/14335, Meadow Croft, Cononley – Conditional approval.

21/2014/14884 Demolition of existing single garage and outbuilding to build a detached two-storey, 3 bedroom dwelling, 12 Meadow Croft, Cononley – Refusal.

22/2014/14867 Construction of garden room to rear of existing property (re-submission of previous planning application ref: 22/2014/14651), 2 New Hall Farm, Colne Road, Cowling – Approved.

22/2014/15058 Application for discharge of condition no. 4 of planning consent 22/2014/14265 dated 18 March 2014, Pad Cote Barn, Pad Cote Lane, Cowling – Conditional approval.

22/2014/15033 Screening opinion for the installation of 1 No. 50 KW wind turbine, Park Farm, Park Lane, Cowling – Environmental assessment not required.

22/2014/15034 Screening opinion for the installation of 1 No 50 KW wind turbine, Sandyforth Farm, Cowling – Environmental assessment not required.

25/2014/15069 Discharge of condition No. 5 of previous planning application ref: 25/2013/13265 in relation to external finish. Park House Farm, Elslack – Conditional approval.

28/2014/14871 Demolition of existing flat roofed garage, construction of breakfast room and garage, and diversion of existing public footpath no.19/2 in conjunction with conversion of a pair of semi-detached dwellings to a single dwelling, Barns End and Old Stable, Main Street, Farnhill – Conditional approval.

32/2014/14915 Proposed conversion and extension of existing detached garage to form new dwelling, 2 Keighley Road, Cross Hills – Conditional approval.

32/2014/14878 Change of use from B1 to B2 to facilitate addition of an MOT Testing Station, Unit 12 Midland Mills Trading Estate, Station Road, Cross Hills – Conditional approval.

53/2014/14957 Porch extension, 6 Dale End, Lothersdale – Approved.

53/2014/14870 Prior approval for the change of use of agricultural building to a dwelling, Out Laithe, Calf Edge Farm, Lothersdale – Prior approval refused, application required.

56/2014/14876 Single storey bedroom extension to bungalow, 9 Heber Drive, East Marton – Approved.

56/2014/14869 Single storey rear extension, Box Tree Barn, East Marton – Approved.

56/2014/14968 Listed building consent to carry out repairs to windows and replace one window to match existing Marton House, Heber Drive, East Marton – Conditional approval.

56/2014/14946 Retrospective application for change of use of existing building and parking and loading area from agriculture to use for Pearson Farm Supplies; and part retrospective application for retention of partially erected building to be completed and used for bulk storage of animal feed stuff by Pearson Farm Supplies, Stainton House, West Marton – Conditional approval.

66/2014/14940 Construction of two detached dwellings, The Balgray, West Lane, Sutton-in-Craven – Refusal.

66/2014/14966 Discharge of Condition No.11 of previous planning permission 66/2013/13537 and Condition No.3 of previous planning permission ref: 66/2014/14652, Little Croft, West Lane, Sutton-in-Craven – Conditional approval.

73/2014/14833 Fell 1 No Spruce Conifer, 2 Main Road, Kildwick – No TPO made.

73/2014/14719 Construction of a ground mounted array of 6KW solar panels, Kildwick Grange, Kildwick – Approved.

#### Skipton Area

19/2014/14914(LB) Removal of regular dressed stonework from upper storey of rear extension and retention of inner concrete blockwork wall, replacement with random rubble stonework to match remainder of building, repoint entire extension in lime mortar, replace rainwater goods in half round cast iron as needed, Raven Flatt, Bell Busk, Skipton – Conditional approval.

26/2014/14881 Residential development of 32 dwellings and associated infrastructure, Kirk Lane, Eastby – Application withdrawn.

26/2014/14850 Internal conversion from one dwelling to 2 no. dwellings and proposed single storey extensions to side and rear elevations of dwelling, Manby Castle House East, Embsay – Conditional approval.

26/2014/14950 1 No Ash Tree - Crown lift, crown clean and deadwood, 20 Main Street, Embsay – Conditional approval.

30/2014/14939 Demolition of existing conservatory and re-build as garden room; single storey front extension to porch and utility room; insertion of 3 no. additional windows to rear house roof, Coldwell House, Skipton Road, Gargrave – Approved.

30/2014/14933 Construction of three dwellings with associated access and car parking arrangements, (Re-submission of application 30/2014/14125), land off Smithy Croft, Smithy Croft Road, Gargrave – Conditional approval.

34/2014/14952 Proposed change of use of agricultural building to a dwelling house (Use Class C3) and for associated operational development Wickman Laithe, Bramham House Farm, Holme Lane,

Halton East – Application withdrawn.

63/2014/14815 Proposed erection of a residential block containing 12 no. apartments with associated parking provisions, Roughaw Close, Skipton – Conditional approval.

63/2014/14866 Change of use of garage to holiday let garage to Primrose Cottage, Wood Lane, Skipton – Conditional approval.

63/2014/14889 Two storey rear extension to provide enlarged bedroom over dining room, 15 Broughton Grove, Skipton – Refusal.

63/2014/14908 Conversion of garage and covered entrance to habitable accommodation, 12 Weavers Court, Skipton – Approved.

63/2014/14888 Two storey rear extension to provide additional bedroom with en-suite over dining room and single storey front porch, 142 Burnside Crescent, Skipton – Approved.

63/2014/14896 Retrospective application for upper ground level balcony to rear of existing dwelling, 35 Belgrave Street, Skipton – Refusal.

63/2014/14912 Advertisement consent for 1 x externally illuminated fascia sign, window vinyls and 2 x attached aluminium panels, Martin Mc Colls Newsagents, Keighley Road, Skipton – Conditional approval.

63/2014/14969 Fell 1 No Elm tree land to side of Craven Mews, Craven Arms Car Park, Skipton – No TPO made.

63/2014/14961 Single storey rear extension to provide additional bedroom with en-suite, measuring 5.0 metres from existing rear wall, 4.00 metres maximum height from ground level, 2.75 metres maximum height at eaves, 20 Burnside Crescent, Skipton – Prior approval not required

63/2014/14980 Demolition of existing derelict brick faced building previously used as a plumbing sales business, Vasco (GB) Ltd, Clitheroe Works, Clitheroe Street, Skipton – Prior approval not required.

63/2014/14887 Creation of a level access to the rear garden area, a ramp to the rear door to provide access to a lower level area, proposed palisade fence approximately 1 metre in height, 45 Rombalds Drive, Skipton – Approved.

63/2014/14900 Minor alteration to a listed building to form an opening for a closet to one of the existing first floor letting bedrooms, Red Lion, 27 High Street, Skipton – Approved.

65/2014/14829 Retrospective application for replacement boundary fence, 5 Aireville Grange, Gargrave Road, Skipton – Refusal.

## **b. Applications**

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

### **Permission Granted**

**62/2014/14965 Application for reserved matters for 4 no dwellings, approval sought for appearance, landscaping and scale (outline consent reference 62/2011/12180 dated 17 January 2012), land off Town Head Way, Settle.**

Summary of Conditions

1. The approved plans comprise Plan Numbers 1411-101(P) Rev A & 141-102(P) Rev A received on 15<sup>th</sup> August 2014 and details contained within the 'Design and Access Statement' document received on the 3<sup>rd</sup> September 2014. 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. The approved landscape planting scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

3. Notwithstanding the details submitted with the application, prior to the first use of building materials on the site samples of the external walling and roofing materials shall have been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently be carried out in accordance with approved details.

Informative : Attention is drawn to the planning conditions attached to the outline planning permission Ref 62/2011/12180 regarding the submission of site precise details of existing/proposed site levels; foul and surface water drainage details and highway authority requirements. The submitted layout would be in close proximity to a public sewer and either the sewer would need to be moved or dwellings 1 and 3 would be subject to a Build Over Agreement in accordance with United Utilities requirements

Note : The Development Control Manager was asked to attach an additional informative in respect of hours of construction, in particular operations on site when a funeral is taking place in the adjoining graveyard.

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. (\*)

### **Permission Refused**

**22/2014/15039 Construction of four bedroom detached dwelling with associated turning and parking area (re-submission of previous planning application 22/2014/14612), land to west of kitchen showroom Dovetail, Cowling** – the Development Control Manager was authorised to formulate appropriate reasons for refusal based on the following grounds:-

- a. The proposed development fails to enhance or preserve the character and appearance of the designated Cowling Conservation Area; and
- b. The proposed development's unacceptable impact on the amenity and living conditions of residents of Nan Scar.

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. (\*) (SV)

(\*Representations received were reported within the case officer's report / were reported at the meeting.)  
(SV Indicates site visit held.)

PL.735

### **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 2014.

PL.736

### **AFFORDABLE HOUSING**

The Development Control Manager submitted a report drawing the Committee's attention to a new application and appeal procedure for the review of Section 106 Planning Obligations on planning permissions in respect of the provision of affordable housing. An amendment was also sought to the Scheme of Delegation to grant delegated authority for the Strategic Manager for Planning and Regeneration to determine any such applications in consultation with the Chairman of the Planning Committee, or Vice Chairman in the absence of the Chairman.

It was pointed out that the new application process had been introduced by the Growth and Infrastructure Act and involved an assessment of the viability of affordable housing requirements only; it did not extend to a review of any other planning policy considerations or the merits of the approved scheme. Applicants would need to establish to the satisfaction of the Local Planning Authority that the affordable housing obligation, as currently agreed, made the scheme unviable in current market conditions, and also provide a revised affordable housing proposal based on viability.

The Development Control Manager explained that as the necessary technical valuation knowledge was not available within the Planning Department it would be necessary to seek appraisals of each application from a valuation surveyor; this service was currently provided to the Council under an arrangement with Harrogate Borough Council. As the assessment of applications was based purely on viability and the Authority would have only 28 days in which to make a determination, unless agreed otherwise by the applicant, it was recommended that determination should be made under delegated authority.

Decisions taken under the authority granted requested would be report to this Committee within the schedule of applications determined under delegated authority presented to each meeting, and that monitoring of decisions made under Section 106BA could be reported within the periodic report on Development Control performance.

**Resolved** – (1) That the procedure under Section 106BA of the Town and Country Planning Act 1990 for reviewing Section 106 Agreements insofar as they relate to affordable housing is noted.

(2) That delegated authority is granted with immediate effect to the Strategic Manager for Planning and Regeneration, in consultation with the Chairman of Planning Committee (or Vice Chairman in the absence of the Chairman), to determine applications under Section 106BA of the Town and Country Planning Act 1990, subject to first receiving written advice on viability from the Development Valuation Surveyor working on behalf of the District (or another person, appropriately qualified to professionally assess viability), and any consequential applications to vary affordable housing conditions.

Note : The Development Control Manager reported that having consulted the Chairman he had acceded to a request made by the applicant to the withdrawal of an application from the agenda for this meeting seeking modification of a Section 106 Agreement insofar as it related to the affordable housing to be provided on a residential development at Ingfield Lane, Settle. The withdrawal would enable the applicant to provide additional information and allow time for further discussions.

**Minutes for Decision**

- None -

Chairman.