

PLANNING COMMITTEE

13th April 2015

Present – The Chairman (Councillor Welch) and Councillors Barrington, Green, Harbron, Kerwin-Davey, Lis (substitute for Brockbank), Place, Quinn and Sutcliffe.

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

Start: 1.35pm

Finish: 3.55pm

Apologies for absence were received from Councillors Brockbank, English, Hart and Mason.

The minutes of the Committee's meeting held on 16th March 2015 were confirmed and signed by the Chairman.

Minutes for Report

PL.754

PUBLIC PARTICIPATION

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

Application 17/2015/15386 : Mrs A Chadwick (objector)
: Mr S Hall (applicant)

Application 48/2014/15278 : Ms R Whaley (on behalf of the applicant)

Application 63/2014/15313 : Mr G Stapleton (objector / on behalf of the objector)
: Mr W Benedikz (on behalf of the applicant)

PL.755

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

08/2015/15447 Prior notification of agricultural development - proposed building, land at Mewith Lane, Mewith Lane, High Bentham - Prior approval not required.

15/2015/15428 1 No Larch – Fell, Ridding Well, 7 Low Street, Burton in Lonsdale – No tree preservation order made.

18/2015/15415 Extension of existing agricultural building, Tewitt Hall Farm, Newby, Clapham – Conditional approval.

18/2015/15403 Construction of sun room extension to the rear with associated alterations to existing patio area Sunart, Cross Haw Lane, Clapham – Approval.

31/2015/15449 Non material amendment to applications 31/2011/11640 and 31/2014/15013 to vary

the colour of the window frames from fenton grey to white Lords Close, Giggleswick – Conditional approval.

45/2015/15459 Discharge of conditions 5, 6, 7, 12,19 to previous planning application
45/2014/14538, land off Low Demesne Close, Ingleton – Conditional approval.

45/2015/15501 Non material amendment to 45/2014/14334 concerning parking arrangement, land off Burnmoor Crescent, Ingleton – Refusal.

45/2015/15496 Confirmation of compliance of contamination conditions contained within planning permission referenced 45/2009/10183, 1-19 (inclusive) Whernside Way, Ingleton, LA6 3FJ and 1-5 (inclusive) Whernside Court, Ingleton – Complied.

62/2015/15379 Application to discharge condition 3 (walling materials), condition 4 (Roofing materials) and part of condition number 5 (windows) of planning consent referenced 62/2014/15167, 1 Constitution Hill, Settle – Conditional approval.

62/2015/15369 Application to discharge condition number 3 of planning permission 62/2013/13657 relating to external finishes, St Johns Methodist Church, Church Street, Settle – Conditional approval.

South Craven Area

11/2015/15343 Conversion of existing agricultural building to residential dwelling, Wades Barn, Skipton Road, Low Bradley – Conditional approval.

17/2015/15370 Proposed timber summerhouse in rear garden (resubmission of withdrawn application 17/2014/14927) Robin Hall, 10 Beck Side, Carleton – Conditional approval.

21/2015/15397 2 No Silver Birch - Reduce height of trees to 6m and reshape crown, 1 Windle Lane, Cononley – No tree preservation order made.

21/2015/15453 Fell 4 No Limes (T1-T4) and 1 No Corsican Pine (T5), Brooklyn House, Crosshills Road, Cononley – No tree preservation order made.

22/2015/15431 Proposed change of use of barns at Stott Fold Farm to form three dwellings. (Prior Approval Application), barns at Stott Fold Farm, Cowling Hill, Cowling – Prior approval not required.

22/2015/15371 Application for discharge of condition numbers 6, 7, 11, 12 and 13 of planning permission 22/2014/14622 Stone Head Farm, Stone Head Lane, Cowling – Split decision.

22/2015/15510 Application to discharge conditions 13 and 14 of appeal decision ref. APP/C2708/A/14/2213630 granted 23 July 2014, Dick Lane, Cowling – Conditional approval.

22/2015/15440 Non material amendment to previous application 22/2010/10597 for retrospective addition of solar PV panels, exhaust pipe for internal generator, replacement steel security door and water butt, Out Barn on land adj to Green Hill Lane, Cowling – Conditional approval.

22/2014/15331 Construction of stone agricultural building, Higher Stone Head Farm, Cowling – Refusal.

28/2015/15439 Removal of the existing rear porch and construction of single storey lean-to sun room extension to the rear, 54 Starkey Lane, Kildwick – Approval.

32/2015/15469 Detached double garage, 22 Wheatlands Lane, Cross Hills – Approval.

32/2015/15430 Proposed conservatory, 1 Spencer Close, Cross Hills – Approval.

32/2015/15373 Fell 1 no. Apple Tree (protected by TPO No 149 2006) Hayfield Mills, Colne Road, Glusburn – Conditional approval.

32/2015/15389 Demolition of kitchen and garage and replace with new two storey extension to form sun room with bedroom over, kitchen, utility and attached garage, Leylands, Binns Lane, Glusburn – Approval.

56/2015/15359 Prior notification application for conversion of barn to 1 no. dwelling, car port to rear, re-opening existing highway access to north, closing access to South Dodge, Carr Barn, Marton Road, Thornton in Craven – Permission required..

66/2015/15405 Replacement of fence (resubmission of previously refused application 66/2014/14761), 1 Holmfield Farm, Holme Lane, Sutton-in-Craven – Approval.

73/2015/15456 Construction of single storey dining room and porch extensions, Lane House, Skipton Road, Kildwick – Approval.

73/2015/15457(LB) Construction of single storey dining room and porch extensions Lane House, Skipton Road, Kildwick – Conditional approval.

Skipton Area

26/2015/15461 1 No Maple (T1) - Crown reduce to previous works, 1 No Purple Leaf Plum (T2) - Reduce back over the garden side including over extending limb, 1 No Cherry (T3) - Reduce to gain better shape, 1 No Conifer (T4) - Reduce back to boundary and 2 Conifers (T5 and 6) - Fell 3 Laurel Close, Emsay – No tree preservation order made.

63/2015/15425 Retrospective application for retention of garden shed to rear of property, 15 Carleton Avenue, Skipton – Approval.

63/2015/15488 Retrospective application for the construction of rear dormer window, 32 Aireview Terrace, Broughton Road, Skipton – Approval.

63/2015/15408(LB) Re-painting of shopfront and installation of new non-illuminated fascia and projecting signs (Listed Building application) Greggs, 60 High Street, Skipton – Conditional approval.

63/2014/15321 Listed building consent for works required in association with approved application for change of use to A4 unit (Resubmission of withdrawn application 63/2014/15012) Unit 1, including Rooms G13 to G16, G19, G20, part basement and outside area, Town Hall, High Street, Skipton – Conditional approval.

63/2015/15409 Installation of new non-illuminated fascia and projecting signs (advertisement consent), Greggs, 60 High Street, Skipton – Conditional approval.

63/2015/15351 Fell 1 no. Holly and Fell 2 no. Yew, 10a Park Wood Close, Skipton – Split decision.

63/2015/15399 1 No Silver Beech -reduce by 1/3 1 No Maple (Incorrectly identified as Ash) - thin by 1/3, 56 Carleton Avenue, Skipton – Conditional approval.

63/2015/15413 1 No Sycamore – Fell, St Stephens RC Church, Castle View Terrace, Skipton – No tree preservation order made.

63/2015/15516 Application to discharge condition no's 4 and 5 of planning consent 63/2014/15083 and condition no's 3 and 4 of planning consent 63/2014/15084 Town Hall, High Street, Skipton – Conditional approval.

b. Applications

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

Permission Granted

08/2014/15067 Residential development, Felstead, Low Bentham Road, Bentham.

Summary of Conditions

1. Notwithstanding the submitted plans no development shall commence until approval of the details of the layout, scale and appearance of the buildings and the landscaping/boundary treatments (hereinafter called the 'reserved matters') has been obtained from the Local Planning Authority.

An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Thereafter the development shall not be carried out otherwise than in strict accordance with the approved details.

2. The outline planning permission hereby approved relates to the site detailed on Drawing No: PDM/11/NA/BR01 and access detailed on the Drawing No: PDM/11/N.A/03 received by the Local Planning Authority 19th September 2014. For the avoidance of doubt the site layout detailed on the approved plan together with Drawing No: PDM/11/N.A/BR/04 are for illustrative purposes only.

3. No development shall take place until either:

a. Full details of public open space to serve the development in accordance with Saved Policy SRC2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan have been submitted to and approved by the Local Planning Authority and agreement has been reached with the Local Planning Authority as to the provision of the same and its subsequent management and maintenance, or

b. Alternative arrangements for the provision of open space have been secured and approved in writing by the Local Planning Authority, or

c. Confirmation has been obtained in writing from the Local Planning Authority that due to the nature of the development that has been clarified by a reserved matters submission a contribution towards open space is not required.

4. No development shall take place until either:

a. A scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:

i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units comprised in the development and shall be, in matters of tenure and type, in accordance with the findings of the North Yorkshire Strategic Housing Needs Assessment 2011 or any replacement thereof;

- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to a registered provider or the management of the affordable housing if no Registered Provider is involved;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

or

b. Confirmation has been obtained in writing from the Local Planning Authority that due to the nature of the development that has been clarified by a reserved matters submission a contribution towards affordable housing is not required.

5. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other ground works, except for investigative works, or the depositing of material on the site, until the access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. The access shall be formed with 6m radius kerbs, to give a minimum carriageway width of 6.5m, and that part of the access road extending 10m into the site shall be constructed in accordance with Standard Detail number E7.
- b. Any gates or barriers shall be erected a minimum distance of 6m back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- c. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority and maintained thereafter to prevent such discharges.
- d. The final surfacing of any private access within 6m of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway

6. Prior to the commencement of development details of a surface water drainage scheme, which unless otherwise demonstrated as not being reasonably practicable is based on Sustainable urban Drainage Principles (SuDS), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall comprise: -

- Full technical details of the proposed surface water drainage solution.
- Details of the organisation responsible for the SuDS (unless demonstrated that SuDS is not practicable)
- Arrangements for how SuDS will be maintained in perpetuity (unless demonstrated that SuDS is not practicable).

The development shall be implemented strictly in accordance with the approved scheme and retained in accordance with its provisions thereafter.

Informative : Full details of the information required to meet the terms of condition 6 can be found on the website of the Lead Local Flood Authority (North Yorkshire County Council).
<http://www.northyorks.gov.uk/article/25991/Flooding-and-drainage>

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. (*)

17/2015/15386 Construction of bungalow, garage and hardstanding (resubmission of withdrawn application referenced 17/2014/15327), Ivy Cottage Farm, Carla Beck Lane, Carleton.

Summary of Conditions

1. The development hereby permitted shall not be begun later than the expiration of three years beginning with the date of this permission.

2. The development hereby permitted shall be carried out wholly in accordance with the following plans:

- 2559A received by the Local Planning Authority on 9th January 2015.
- Site Plan 1:200 received by the Local Planning Authority on 25th March 2015, and
- Site Sections 1:200 received by the Local Planning Authority on 25th March 2015.

The development hereby approved 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. Prior to the first use of the building materials on site samples/details of all materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented in full and retained thereafter.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 1995 (or any order revoking or re-enacting that Order with or without modification) no development consisting of the enlargement, improvement or other alteration of the dwelling house nor the erection of any garages or ancillary buildings, nor the erection of walls or fences, shall be carried out without the prior written permission of the Local Planning Authority.

5. All external faces of windows and doors shall receive reveals of at least 100mm deep from the external face of the walls.

6. All new windows and doors shall be of timber constructed and shall be retained as such.

7. No barge boards, fascia boards or soffit boards shall be used in the carryout of the development hereby approved.

8. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 2559A for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

9. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, the erection of fencing for the protection of the hedgerows on the eastern and western boundaries of the site shall be undertaken, in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of Craven District Council.

Informative : With regard to conditions no. 3 and 9 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.

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 and requested amended design approaches. (*)

Permission Refused

48/2014/15278 Change of use for redevelopment and extension of holiday park, Langcliffe Caravan Park, Langcliffe – the Strategic Manager for Planning and Regeneration was authorised to refuse this application for the reasons indicated below, but in the event of amended plans being received within a reasonable period of time satisfactorily clarifying the applicant's intentions with regard to the existing screening along the site's northern boundary, to proceed only on the grounds shown at reason one.

Reasons for Refusal

1. The extension of the caravan site into the field to the south east corner, together with the adjoining strip of land to be used for camping, would have an unacceptable damaging impact on the character and appearance of the open countryside and landscape (that includes the Yorkshire Dales National Park), and adjacent Heritage Assets (the Settle Carlisle Conservation Area and the Langcliffe Conservation Area). The proposal therefore fails to accord with Saved Policies ENV1, ENV2 and EMP17 of the Craven District (Outside the Yorkshire Dales National Park Local Plan). The Council considers that the proposal fails to accord with the Environmental dimension of Sustainable Development as set out in the National Planning Policy Framework, as it fails to protect and enhance our natural, built and historic environment. The harm to the open countryside and heritage assets that would result are considered to significantly and demonstrably outweigh the benefits of approving development. In these circumstances both Paragraph 134 and Paragraph 14 of the National Planning Policy Framework advise that planning permission should be refused. Furthermore Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out statutory duty to ensure development preserves or enhances the character or appearance of Conservation Areas and the development does not meet this requirement.

2. The application proposes to reduce the level of existing mature screening along the northern boundary of the site. This reduction in screening would result in increased visibility of the northern part of the site, from open countryside beyond, particularly in the winter months when trees are not in leaf. This reduction in screening, along with the introduction of static caravans (which will be a permanent addition in place of the approved tenting use) is such that the application would result in harm to the character and appearance of the open countryside, in particular views from the nearby Yorkshire Dales National Park. The proposed redevelopment of this part of the site therefore fails to comply with Saved Policy EMP16 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan, which requires that sites for static caravans be well screened by landforms and/or existing landscaping from roads, elevated viewpoints and other public places. The harm to the open countryside from the redevelopment of this part of the site is considered to significantly and demonstrably outweigh the benefits of approving the development. Paragraph 14 of the National Planning Policy Framework therefore advises that planning permission should be refused.

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 and advised the applicant / agent with respect to the reasons why the application cannot be supported in its current form and provided advice with respect to a resubmission. (*)

(As Members of the Yorkshire Dales National Park Authority which had objected to the above application. Councillors Lis and Welch declared Appendix B interests under the Council's Code of Conduct and withdrew from the meeting for the discussion and voting thereon.)

63/2014/15313 Application for variation of Conditions 5 and 17 of planning permission referenced 63/2013/14200 (environmental statement received), Waller Hill Beck; Ginnel Mews; Devonshire Place; Spindle Mill; Morrisons Culvert, Skipton – the Strategic Manager for Planning and Regeneration was authorised formulate appropriate reasons for refusal based on the following ground(s)

The Committee is of the opinion that the reasons for originally imposing Conditions 5 and 17 remain valid and that in particular the requirements of Condition 17 are still considered to be so fundamental to the development that in their absence it would have been necessary to refuse the original application.

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. (*)

(*Representations received were reported within the case officer's report / were reported at the meeting.)

Minutes for Decision

- None -

Chairman.

This being the last meeting in the current municipal year before the elections on 7th May 2015, the Chairman expressed his gratitude to Councillors Barrington and Hart, who would not be seeking re-election, for their work on behalf of the Committee / contributions to the Committee's work over their time as Members of the Council.