

PLANNING COMMITTEE

3rd August 2020

Present – The Chairman (Councillor Sutcliffe) and Councillors, Brockbank, Brown, Handley (substitute for Councillor Lis), Morrell, Place, Pringle, Rose, Shuttleworth, Solloway (substitute for Councillor Heseltine), and Welch.

Officers – Planning Solicitor, Planning Manager, Democratic Services Manager and Senior Democratic Services Officer.

Apologies for absence were received from Councillors Heseltine and Lis.

Ward Representatives : Councillor Myers and Councillor Sutcliffe (2020/21690/FUL) and Councillor Solloway (2020/21484/FUL)

Start: 1.35pm

Finish: 3.43pm

The minutes of the Committee's meetings held on 20th July 2020 were confirmed. In doing so, Members requested that a transcript of comments made by Councillor Pringle in relation to late information and the subsequent officer response be provided to Members.

Chairman of Planning Committee

The Chairman of Planning Committee, Councillor Alan Sutcliffe addressed the Committee to inform them that this would be his last meeting as he was standing down as Chairman and subject to Annual Council confirmation was to become Vice-Chairman of Council. He thanked Members for the support they had given him since becoming Chairman in 2016 and gave his best wishes to the incoming Chairman of the Committee which would, if confirmed, be Councillor Linda Brockbank. She thanked him on behalf of the Committee and wished him well for the future.

PL.980

PUBLIC PARTICIPATION

Councillor Pringle referred to the Wyvern Park development. In particular, he asked for a response as to whether the developer was tied by condition to build the industrial units and not just the housing element of the permission because the industrial units were needed and these had been approved at the expense of some affordable housing.

Secondly, Councillor Pringle was concerned that the condition to make sure that construction HGV's came into the site from a new roundabout on the bypass was not being observed and such vehicles were accessing the site from Carleton New Road via the town centre. He wanted to be assured that, if appropriate, enforcement action would be taken.

In response, the Planning Manager confirmed that there was a commitment in the original planning permission for Wyvern Park, that the infrastructure for the industrial land had to be provided before commencement on the residential element, as this had been a major concern for the Planning Committee. The Committee had not wanted to see a situation whereby the residential development was built out and the industrial development would not be delivered and as a result there had been a commitment embodied in the legal agreements and indeed in the original planning permission.

On the question of traffic movements, the Planning Manager stated the intention was that the construction access would be from the by-pass. Discussions had been held between the developers and the Council's Enforcement Team regarding the situation. The practical aspect was that the by-pass access had to be completed and on visiting the site last week, it hadn't been. The Planning Manager advised Members that one of the primary contractors had their depot on Carleton New Road and it was a matter of common sense and practicality as to how they get their vehicles off their existing

yard without going through the town. He indicated that as soon as the new access had been completed all future construction traffic would access the site from the by-pass and not through town.

PL.981 **DECLARATIONS OF INTEREST AND LOBBYING**

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee. None were declared.

b. Lobbying

Application 2020/21690/FUL – The Chairman and Councillors Brown and Pringle indicated that they had been lobbied against the application.

Application 2020/21484/FUL – Councillors Brown and Pringle indicated they had been lobbied in favour of the application.

PL.982 **PUBLIC PARTICIPATION**

The following persons had their statements read out on their behalf or addressed the Committee in person under its public participation scheme:

Application 2020/21690/FUL: Ms Karen Darvell (Stirton with Thorlby Parish Council)
Application 2020/21484/FUL: Mr Ernest Calvert (applicant)

PL.983 **APPLICATIONS FOR PLANNING PERMISSION**

a. Delegated Matters

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission which had been dealt with under delegated authority:

b. Applications

2019/20936/FUL Construction of rear decking (retrospective) and alterations to fence at 9A Black Abbey Lane, Gludburn, Keighley BD20 8RY. Approved with Conditions.

2019/21232/FUL 3no. Proposed detached dwellings on land adjacent to 1 Mulberry Court, Sutton-in-Craven. Refused.

2019/21289/LBC Removal of timber fencing and replacement with Beech hedgerow and dry stone wall to southern end of eastern site boundary (Previous application 2019/21070/LBC) Scalaber Farm, Back Lane, Low Bentham, Lancaster LA2 8NZ. Approved with Conditions.

2019/21299/FUL Huws Gray Builders Merchants, Low Bentham Road, High Bentham, Lancaster. Demolition of existing single storey bungalow and change of use from residential to Sui Generis (Builders Merchants); re-profiling of existing garden to form new concrete hard standing; erection of new perimeter boundary fence and new vehicular access. Huws Gray Builders Merchants, Low Bentham Road, High Bentham, Lancaster. Approved with Conditions.

2020/21356/FUL Two dwellings on land at Draughton, off access road to A65, Draughton, Skipton. BD23 6DY. Refused.

2020/21411/VAR Application for variation of condition no's 2 (Approved Plans), and 8 (Noise Management Plan) on previous consent referenced 2019/19739/COU granted 19th February 2019 at 9-11 Court Lane, Skipton BD23 1DD. Approved with Conditions.

2020/21415/FUL Proposed conversion of existing attached barn to provide 2 bedroom holiday letting cottage at Tosside Fold Farm, Tosside, Skipton, BD23 4SD. Approved with Conditions.

2020/21448/ADV Install one new directional sign on land to the East of Unit 1, Union Business Park, Snaygill Industrial Estate, Skipton. Approved with Conditions.

2020/21560/VAR Application to vary condition no. 2 (Approved Plans) of Minor Material Amendment to allow Plots 1 and 7 to be detached on planning application reference number 2019/20416/FUL granted 1st August 2019 on land to the West of The Old Smithy, Skipton Road, Farnhill, Keighley. Approved with Conditions.

2020/21583/FUL Single storey addition to north facing elevation, single and first floor additions to existing annex (south facing elevation) to form holiday accommodation and the erection of a detached secure garage at High Spring House, High Bentham, Lancaster LA2 7FP. Approved with Conditions.

2020/21602/HH Construction of new front gable roof, new front canopy roof, new side utility extension and new lean to rear kitchen extension at 54 Raikeswood Road, Skipton. BD23 1NB. Approved with Conditions.

2020/21601/HH Demolition of conservatory. New single story front and rear extension with veranda at Coldwell House, Skipton Road, Gargrave, Skipton. BD23 3SA. Approved with Conditions.

2020/21607/HH Demolition of existing garage and entrance lobby. Two storey extension to east gable and alterations to ground floor windows to north elevation. Construction of garage with home office over at Crowtrees Cottage, 10 Chapel Street, Settle BD24 9HS. Approved with Conditions.

2020/21632/HH Construction of garden room rear extension at 8 Canal Street, Skipton. BD23 1LB. Approved with Conditions.

2020/21617/HH Single storey front extension at 5 Branch Road, Skipton BD23 2BX. Approved with Condition.

2020/21625/HH Construction of an attached garden room to the South-west elevation of the existing domestic property at Brunton Park, Keasden Road, Clapham Lancaster LA2 8EZ. Approved with Conditions.

2020/21642/CND Application to discharge condition no. 10 (Highways - Mud on Road) and no. 12 (Highways - Construction Traffic) on planning permission referenced 2019/20933/FUL granted 11 March 2020 on land off A65, Kendal Road, Hellifield, Skipton. DOC satisfactory.

2020/21662/CND Application to discharge condition no. 3 (highway layout), no. 6 (highway safeguards), no. 7 (condition of existing highway), no. 8 (site set-up), no. 9 (HCV routes), no. 11 (programme of completion of works), no. 12 (foul and surface water drainage) and no. 13 (tree protection) of appeal reference APP/C2708/W/19/3237080 granted 29 April 2020 Rockwood House, Park Wood Close, Skipton. BD23 1QW. DOC satisfactory.

2020/21663/HH Demolition of existing kitchen extension and construction of larger kitchen extension at 46 Westmorland Street, Skipton. BD23 2EA. Approved with Conditions.

2020/21666/HH Proposed 2-storey side and single-storey rear extension at 2 Airedale Avenue, Gargrave BD23 3SD. Approved with Conditions.

2020/21669/CND Application to discharge condition no. 3 (Tree Protection Measures) and no. 4 (Window and Door Details) of planning permission referenced 2019/20873/FUL granted 14 February 2020 at Richard Thornton Lodge, A687, Burton-in-Lonsdale, LA6 3JZ. DOC satisfactory.

2020/21674/CND Application to discharge condition no. 3 (Access to Site) and no. 6 (Materials) on application referenced 2019/20792/FUL granted 25 October 2019 at 10 Grassington Road, Skipton BD23 1LL. DOC satisfactory.

2020/21673/MMA Minor material amendment of 2019/20919/HH to increase the size of eastern extension at the bungalow 9 Ryecroft Road, Glusburn, Keighley BD20 8RT. Approved with Conditions.

2020/21682/LBC Creation of oak trimmed opening on first landing and insertion of laminated glass floor at Shackleton Ghyll Farm, 121 Main Street, Cononley, Keighley. BD20 8NT. Approved with Conditions.

2020/21685/CPL Application for Certificate of Lawful Development for a proposed single storey rear extension at 6 Cross Bank, Skipton BD23 6AH. Approve Cert. Lawful Devt.

2020/21732/CND Application to discharge condition no. 9 (Construction Method) on planning permission referenced 2019/20736/VAR granted 22 October 2019 on land to the South of Burnside Crescent, Skipton. DOC not satisfactory.

2020/21769/NMA Non-material amendment on planning permission referenced 2018/19728/HH granted 06 November 2018 at Newlands Croft, Skipton Road, Gargrave, Skipton BD23 3SP. Non-material amendment approved.

Permission Deferred

2020/21690/FUL Full application to allow 12 month holiday occupation at Tarn House Caravan Park, Stirton, Skipton BD23 3LQ – to enable the Planning Manager to prepare a report for the next Planning Committee to include clearer conditions on the type of acceptable evidence of principal home ownership as well as providing further clarification on the reasons why Members wanted to refuse the application which were:

1. That Tarn House Caravan Park is not a designated site in the Local Plan.
2. The reason for the occupancy condition cited in para. 2.3 of the Planning Manager's report was that "The site is in an isolated location and thus is not considered appropriate for permanent residential use".
3. An occupancy condition restricting it to holiday use is unenforceable.

Permission Refused

2020/21484/FUL – application for a detached dwelling, landscaping and solar panels installation at High Calebs Barn, Cawder Lane, Skipton BD23 2TD – for the following reasons

1. The application site is located outside of, and detached from, the main built up area of Skipton. Therefore, the application site is located in open countryside. However, the proposed development does not satisfy any of the circumstances where residential development in the open countryside would be supported. Furthermore, there are no material considerations that indicate a decision other than in accordance with the development plan. Consequently, the proposed development conflicts with policy SP4 of the Craven Local Plan 2012 to 2032 and paragraph 12 of the National Planning Policy Framework.
2. The road leading to the site (Cawder Lane) by reason of its poor alignments, poor junctions, insufficient width, poor condition, unsuitable gradients and lack of footways,

lighting and turning area is unsuitable for the traffic that would be generated by the proposed development. In addition, the existing access by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 60 metres x 2 metres cannot be achieved in a northerly direction at the junction with the County Highway. Therefore, the proposed development would have an unacceptable impact on highway safety. Consequently, the development conflicts with policy INF7 of the Craven Local Plan 2012 – 2032, and paragraphs 108 and 109 of the National Planning Policy Framework.

3. The proposed dwelling by virtue of its scale, height, massing, excessive glazing and materials would have a strong suburban character that would not respond to the context nor respect the form of existing and surrounding buildings. In addition, insufficient information has been received to assess whether the design of the proposed solar panels would be acceptable. Consequently, the proposed development would not constitute good design. Therefore, the proposed conflicts with policy ENV3 of the Craven Local Plan 2012 to 2032 and paragraphs 124 and 130 of the National Planning Policy Framework.
4. The proposed dwelling by virtue of its scale, height, massing, excessive glazing and materials would have a strong suburban character. This would detract from the agricultural character of the adjacent barn conversion. In addition, insufficient information has been received to assess whether the heritage impact of the proposed solar panels would be acceptable. Consequently, the proposed development would not conserve Craven's historic environment. Therefore, the proposal conflicts with policy ENV2 of the Craven Local Plan 2012 – 2032 and paragraph 184 of the National Planning Policy Framework.
5. The submitted information fails to demonstrate how the proposed development would result in a net gain in biodiversity. Therefore, the proposal is contrary to policy ENV4 of the Craven Local Plan 2012 – 2032 and paragraph 170d of 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.

2. This decision relates to the following information and plans:

- Submitted application form received 3rd March 2020.
- Drawing No. 19/38/04B "EXISTING SITE PLAN" received 22nd April 2020;
- Drawing No. 19/38/05A "PROPOSED SITE PLAN" received 22nd April 2020;
- Drawing No. 19/38/06A "NEW DWELLING PROPOSED PLANS AND ELEVATIONS" received 22nd April 2020;
- Drawing No. 19/38/07A "NEW DWELLING SECTIONS THROUGH SITE" received 22nd April 2020;
- "MANAGEMENT STATEMENT FOR PACKAGE TREATMENT PLANT AND DISCHARGE" received 22nd April 2020;
- Foul Drainage Assessment Form received 22nd April 2020;
- "Arboricultural Impact Assessment & Tree Protection Method Statement" prepared by treeplan dated 20th April 2020 and received 22nd April 2020;
- "DESIGN STATEMENT" received 25th May 2020;

- Letter regarding the principle of development received 2nd June 2020.

PL.984

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period from 10th July 2020 to 23rd July 2020.

Minutes for Decision

- None -

Chairman.