

PLANNING COMMITTEE (on-line)

5th October 2020

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

Officers – Planning Solicitor, Planning Manager, Planning Officers x2, Senior Democratic Services Officer and Democratic Services Manager.

Apologies for absence were received from Councillors Heseltine and Rose.

Ward Representatives : Councillor Brown (2020/21452/FUL) & Councillor Mercer (2020/21754/FUL).

Start: 1.37pm

Finish: 4.30pm

Councillor Sutcliffe joined the meeting at 1.44pm.

The minutes of the 28th September 2020 were confirmed.

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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 2020/21452/FUL – Councillor Brown stated that he had been lobbied against the application.

Application 2020/21754/FUL – Councillors Brown, Shuttleworth and Sutcliffe stated they had been lobbied for the application.

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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 2020/21452/FUL: Erica Ridehalgh (objector/for the objectors)
Sam Deegan (for the applicant)

Application 2020/21754/FUL: Rosemary Thompson (applicant)

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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:

2019/21173/MMA Minor material amendment to vary condition no. 2 (Approved Plans) of planning approval 2018/19100/FUL granted 01 August 2018 at Pennine Haulage, Brow Garage, Rook Street, Lothersdale, Keighley BD20 8EH. Approved with Conditions.

2020/21427/FUL Erection of extension to existing utility/store in order to create a single (one bedroomed) holiday letting unit at Green Grove, Bell Busk BD23 4DU. Approved with Conditions.

2020/21630/HH Replace existing unsafe and uneven patio and terrace with wooden decking (retrospective) at 1 Dalacres, Embsay, Skipton. BD23 6RP. Approved with Conditions.

2020/21709/HH Single storey lean to style extension to rear of the house at 49 Mill Close, Settle BD24 9BY. Approved with Conditions.

2020/21784/HH Change colour of windows, doors, fascias and drainpipes, and erect an external flue at 23 Clayton Hall Road, Cross Hills, Keighley. BD20 7TA. Approved with Conditions.

2020/21813/CND Application to discharge condition no. 5 (Drainage YW) and no. 6 (Construction Method Statement) of planning permission referenced 2018/18873/FUL granted 09 May 2018 at Holly Tree House, Skipton Road, Low Bradley, Keighley BD20 9EF. DOC satisfactory.

2020/21853/CPL Application for certificate of lawful development for proposed construction of rear dormer window and alterations at 4 Sawley Street, Skipton BD23 1SX. Approved Cert. Lawful Devt.

2020/21851/VAR Application to vary condition no's 2 (Approved Plans), 4 (Materials) and 5 (Doors) on application reference number: 2018/19802/FUL at Low Windhill Farm, Cowling, Keighley BD22 0LJ.
Approved with Conditions.

2020/21881/AGRRES Prior notification for proposed change of use of agricultural building to residential use at Cowlaughton Farm. Park Lane, Cowling, Keighley BD22 0NL. Prior Approval Granted.

2020/21879/FUL Construction of agricultural access at Low Lane, Embsay. Approved with Conditions.

2020/21948/AGRRES Prior approval notification for change of use of agricultural building to dwelling at Lodge Barn, Lodge Lane, Langcliffe, Settle BD24 9LT. Application Withdrawn.

b. Applications

Permission Granted

Application 2020/21452/FUL application for the erection of a pair of semi-detached dwellings with associated garden space and parking on land to the South West of Langroods Farm, High Bradley Lane, High Bradley, BD20 9ES – subject to the conditions below as well as the following additional condition and an informative as follows:

Condition - Notwithstanding the plans approved under condition 2 (approved plans) of this permission, details of the improved biodiversity and expansion of green infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in their entirety prior to the occupation of the dwellings and shall thereafter be retained.

Reason: To ensure an improvement to the environment to accord with policies ENV4 and ENV5 of the Craven Local Plan and the requirements of the NPPF.

Informative – The applicant is advised that this planning permission does not override the need to comply with The Private Water Supplies (England) Regulations 2016. Please contact the Council's Environmental Health team for further information. Their contact details are Environmental Health, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ (tel: 01756 700 600).

Conditions

Time Limit for Commencement

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 The permission relates to the following plans:

- Drawing No. P(000)105 Rev A "Proposed Floor Plans, Elevations + Section A-A received 21st February 2020.
- Drawing No. P9000)103 Rev C "Site Location Plan" received 29th June 2020.
- Drawing No. P(000)104 Rev D "Proposed Site Plan" received 29th June 2020.
- Drawing No. P(000)107 Rev A "Existing and Proposed Site Sections" received 29th June 2020.
- Drawing No. 1001 Rev P08 "Proposed Drainage Layout" received 01st July 2020.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

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 and the National Planning Policy Framework.

During Building Works

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the dwellings shall be constructed in accordance with the materials detailed on the approved plans and material sample list.

Reason: To ensure the visual appearance of the dwellings assimilates will into the surrounding area in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

- 4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

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

- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- (iii) Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- (iv) 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.

(v) The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Informative

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 6 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 25 metres measured along the centre line of the major road High Bradley Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres in height. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety.

Before the Development is Occupied

- 7 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawings. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy INF4 and the provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

Ongoing Conditions

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept for their intended use in the interests of highway safety and the general amenity of the development.

- 9 Within 3 months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of replacement planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the dwelling is first occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: In order that appropriate soft landscaping is introduced at the site to screen the development and to mitigate its visual effects on landscape character in accordance with 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.

2. Hours of Construction

The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.

3. The applicant shall identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of dust.

4. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

5. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

Permission Refused

Application 2020/21754/FUL construction of Studio Workshop (relocation of studio workshop originally approved under application 2017/18633/FUL) with creation of new vehicle access, parking/turning areas and associated works (re-submission of refused application 2020/21429/FUL at Carr Head Hall, Car Head Lane, Cowling, BD22 0LD - refused for the following reasons;

1. The proposal is contrary to Policies SP", EC1 and EC3 of the Craven Local Plan 2012-2032 and the National Planning Policy Framework as it constitutes inappropriate development in the open countryside in that it does not fulfil the requirements for industrial development in rural areas. Furthermore, no adequate justification, special circumstances or material considerations have been demonstrated to merit a departure from these policies.
2. The proposed development does not meet the requirements for ensuring that new development respond to the context on its surroundings, and that it fails to respect the form of existing and surrounding buildings. It is therefore considered that the proposal is contrary to

the requirements of saved Policy ENV3 of the Craven Local Plan 2012-2032 and the National Planning Policy Framework.

3. The proposal is contrary to Policy ENV2 of the Craven Local Plan 2012-2032. The harm which would result to the listed building setting and significance, significantly outweighs any public benefit that may be afforded by the proposal and there is no clear or convincing justification for this harm, which should only be allowed in exceptional circumstances. The proposed development is therefore contrary to the requirements of Policy ENV2 of the Craven Local Plan, Part 16 of the National Planning Policy Framework and the requirements of the Planning (Listed Building and Conservation Areas) Act 1990.

Informatives

1. For the avoidance of doubt, this decision related to the following plans: 9a, 10c, 18a, 11b, 12a, 13c, 14b, 15d, 16b, 17a, 19a.
2. 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.

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PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of closed enforcement cases and new enforcement complaints registered in the period from 18th September 2020 to 23rd September 2020.

Minutes for Decision

- None –

Chairman.