

# North Yorkshire Council

## Skipton and Ripon Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 7<sup>th</sup> November, 2023 commencing at 1.05 pm at Belle Vue Square Offices, Skipton

Councillor Nathan Hull in the Chair plus Councillors Andy Brown, Barbara Brodigan, Robert Heseltine, David Ireton, Andrew Williams and Andy Solloway (substitute for Councillor David Noland).

Officers present: Glenn Sharpe, Solicitor, Neville Watson, Planning Manager, Development Management, Nick Turpin, Planning Manager, Development Management, Andrea Muscroft, Principal Planning Officer, Mike Parkes, Senior Management Development Officer, Paul Preston, Principal Democratic Services Officer, David Smith, Democratic Services & Scrutiny Officer.

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**Copies of all documents considered are in the Minute Book**

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### **37 Apologies for Absence**

An apology for absence was received from Councillor David Noland.

### **38 Minutes for the Meeting held on 3 October, 2023**

The minutes of the meeting held on Tuesday 3<sup>rd</sup> October 2023 were confirmed and signed as an accurate record.

(Councillors Brodigan, Heseltine, Ireton and Solloway abstained from voting on the minutes as they were either not present or had attended as a divisional ward representative member at the last meeting. Councillor Heseltine also commented that the last meeting had clashed with a meeting at the Yorkshire Dales National Park Authority which was the reason for his absence and expressed the view that such meeting clashes could be avoided in the future. He also noted that two of the three applications considered at the October 2023 meeting had been deferred).

(Cllr Barbara Brodigan arrived at 2.07pm at the start of the consideration of this item)

### **39 Declarations of Interests**

Councillor Andrew Williams declared that he had been lobbied for Item 4 on the agenda for application 23/00486/FUL.

Councillor Andy Brown declared for item 6 on the agenda 2022/23854/FUL, that he was a member of Cononley Parish Council. He added that he had taken no part in the Parish Council's deliberations and representations in respect of this application.

### **40 23/00486/FUL - The Installation of a 35 metre High Lattice Tower Supporting 6 no. Antennas, 4 no. Transmission Dishes, 2 no. Equipment Cabinets, 1 no. Meter Cabinet and Ancillary Development thereto including a Generator and Associated Fuel Tank, a Compound with Drystone Wall Boundary, and Hard Standing Area, for the Shared Rural Network Project on behalf of Cornerstone. at Ox Close Plantation Healey North**

## **Yorkshire on behalf of Cornerstone**

Considered:

The committee considered a report of the Assistant Director – Planning relating to planning application 23/00486/FUL.

The case Officer introduced the report and drew the Committee's attention to one correction required to the report (Paragraph 10.9, page 18 of the public document pack), second line, through the inclusion of the word "not" between the words "do" and "benefit". He also added that one further representation from a local business owner had been received, along with a letter of support for the proposal from Masham Parish Council.

The case Officer informed the Committee of comments received on the application from the Council's Head of Economy, Business Support and Inward Investment which stressed the importance of digital connectivity to the community and businesses and that this also related to recreation and safety in this remote area. It was added that with increasing reliance on digital technology the proposal would support the Council's digital strategy and services as they become reliant on mobile coverage. Additionally local businesses were increasingly reliant on digital connectivity and the need for mobile coverage, the lack of which could force them out of business. The viability of farming businesses were also becoming more reliant on mobile connectivity, many farming functions were reliant on connectivity, and a digital connectivity would be key element to them achieving carbon net zero. The Committee was further informed that the Council was working with partners within the county to help deliver this important agenda, however mobile connectivity was key to enabling this.

During consideration of the above application, the Committee discussed the following issues:

- Members commented on the views of the Council's Head of Economy, Business Support and Inward Investment on the application.
- Members asked about the location of other masts in the area to which the case Officer responded that there were existing masts to the east and that the current issue was with masts to the west. The case Officer also responded on a question regarding the proposed height of the mast, which had to be at a certain height to clear the trees height level.

The applicant's agent, Jennie Hann, spoke in support of the application.

At the request of the Chair and Committee, Paul Preston, Principal Democratic Services Officer, read out a statement in support of the application on behalf of the divisional ward representative, Councillor Felicity Cunliffe-Lister who was unable to attend but had provided her views ahead of the meeting.

Members commented further on the application and a number of views were put forward in support of improving digital connectivity in this rural area. It was moved and seconded that the application be approved, contrary to the Case Officer's recommendation

The decision:

That planning permission be APPROVED subject to the conditions to be delegated to the Assistant Director Planning, in consultation with the Chair and Vice-Chair of the Committee.

Reason:

The Committee approved the application, contrary to the Case Officer's recommendation, because it was felt that on balance, the positive of providing connectivity to the residents of the rural area outweighed the negatives of this application.

#### Voting Record

For Approval 5, Abstention 1

(Councillor Andy Solloway arrived at 2.15pm whilst this item was under consideration. He took no part in the discussions or voting in respect of this application).

- 41 2022/24304/FUL - Reconfiguration of Skipton Railway Station Car Park; Relocation of the Existing Substation within the Station Car Park; Increase in Provision of Disabled Parking Spaces and Electric Vehicle (EV) Charging Bays; a New Bus Stop and Drop Off/Coach Parking Point; Provision of a Cycle and Pedestrian Access from Broughton Road into the Station Car Park and Formalised Taxi Pick Up/Drop Off Location and Taxi Shelter; Reconfiguration of the existing Staff Car Park; Removal of 12 no. Trees within the Station Car Park to Accommodate Reconfiguration of Parking Spaces; Provision of 19 no. Trees within the Station Car Park with an additional 17 no. trees within Aireville Park; Realignment of the Partially Demolished Stone Wall within the West of the Station Car Park; Construction of 25m of Yorkstone Wall within the East Of The Station Car Park; Improvements to External Visitor Facilities within the Station Car Park including the provision of a Cycle Shelter, Seating, Lighting Around**

Considered:

The committee considered a report of The Corporate Director – Community Development Services relating to planning application 2022/24304/FUL.

The case officer informed the Committee that previously this application was presented to Committee on 3<sup>rd</sup> October, 2023 with a recommendation of approval. The Planning Committee resolved to defer the application to allow the public to consider the revised working hours of 18:00 to 03:00 hours Mon-Fri and for the applicant to demonstrate a better bio-diversity net gain and increase the new trees to be planted by at least a ratio of 5:1.

The case Officer reported that only one comment had subsequently been received regarding operational hours since the last meeting and the Council's Trees Officer had also reviewed the proposal and was satisfied with the number of new trees being proposed.

Tania Weston, Transforming Cities Fund (TCF) Programme Delivery Manager, spoke on behalf of the applicant, North Yorkshire Council, in support of the application. The Committee expressed disappointment that the two issues the matter had been deferred for at the last meeting had not been fully addressed in this update.

During consideration of the above application, the Committee noted that the West Yorkshire Combined Authority (WYCA) had prioritised nine "Gateways" for improvements as part of the Transforming Cities Fund (TCF) bid which included Skipton and discussed the following issues in relation to the Skipton TCF scheme:

- Members expressed concern that further details of the existing funding source allocated for tree replacements had not been shared with the Committee.
- Members were made aware that Skipton Railway was the second largest (in terms

of usage) in North Yorkshire and the current frontage and forecourt was dominated by car parking;

- Noted the plans to improve interchange linkages in the plans by improving rail, bus and taxi links.
- Concerns that working hours for the scheme hadn't been adequately addressed and asked that hours of work be kept under review to minimise any disruption to local businesses that the works would cause;
- Note the inclusion of ten Electric Vehicle (EV) charging car parking bays in the proposals;
- Members wished to see improvements to pedestrian safety and there was no mention of the connection and link between the station and the industrial areas down Engine Shed Lane.
- A comment whether the scheme was delivering Value for Money (VfM).

Members commented further on the application and a number of views were put forward including a suggestion for the use of saplings for replacement trees where appropriate and it was moved and seconded that the application be approved

The decision:

That planning permission be APPROVED.

Reason:

The Committee approved the application, subject to the conditions as outlined in the Corporate Director – Community Development Services submitted report and also additional conditions delegated to the Planning Manager, in consultation with the Chair and Vice-Chair in relation to 5:1 replacement trees; in relation to the hours of work and the inclusion of a “considerate constructors condition”,

#### Voting Record

For Approval 5, Abstention 1

(Councillor Andy Solloway declared for this item he was the divisional ward representative for this application and that he had previously expressed views when the matter was considered and deferred at the October meeting of this Committee. He was a substitute member at today's Committee meeting but on this item spoke as division Member and did not take part in the debate or vote).

(Councillor Andrew Williams left the meeting at 2.25pm at the conclusion of the consideration of this application).

(The Committee held a short adjournment at this juncture at 2.25pm and reconvened at 2.35pm)

- 42 ZA23/24941/FUL - Erection of 25 no. Dwellings with Off-Street Parking and Associated Infrastructure (Resubmission of 2022/23854/FUL). at land off Meadow Lane/Moorfoot Lane, Cononley on behalf of Calvert Homes (Cononley) Ltd**

Considered:

The Committee considered a report of The Corporate Director – Community Development Services relating to planning application ZA23/24941/FUL.

During consideration of the above application, the Committee discussed the following issues:

- A Member asked a question of Officers' about whether the viability report had been considered by the District Valuer. Officers confirmed that it had been considered.
- Members asked questions on the parcels of land at the site and the local plan, and previous planning consent approval. The case Officer confirmed details of two previous consents granted in 2015 and 2017 and informed Members that two out of three parcels of land were designated for development in the local plan.
- A Member commented on the mix and type of dwellings proposed at the site and added that Cononley had a figure of 115 dwellings in the settlement growth report, which had already been exceeded with a total of 136.

The Chair reminded all present at the meeting of the Council's public speaking scheme which operated at Planning Committees and the constitutional deadlines for registering to speak. On this occasion, the Chair exercised his discretion, under exceptional circumstances and stressing this did not set future precedence, to allow the clerk of Cononley Parish Council and the local resident, Julie Cawood to speak on this occasion as there had been issues with the sending of the notification letters to them of this meeting and the planning application.

The applicant's agent, Mr Jamie Pyper spoke in support of the application.

The Clerk to Cononley Parish Council, Kath Clark, spoke against the recommendation.

A local resident, Julie Cawood, spoke against the application.

Following the representations received from all the public speakers, the Committee further discussed the application and made further comments:

- The Planning Committee was of the view that it was legitimate to undertake a fresh consideration of the overall planning gains and losses because: there were no live permissions on the site; only parts of the site were originally allocated in the local plan; and new evidence had been provided by the developer which undermined the reasons for the allocation of part of the site under the local plan.
- A view was expressed that the overall assessment of the balance of planning gain against loss was negative.
- Observations regarding affordable housing and noting that the Applicant's proposed commercial development for this site which did not provide for any affordable housing.
- That the mix of housing development significantly differed from the assessed overall need in that the site provided only 16% one and two bedroom properties against a need identified in paragraph 4.30 of the Craven District Plan of 39.4%.
- Comments that there was no shortfall of housing in the locality or the Craven area as a whole.

- Comments regarding the MBUA and an opinion that only part of the site was in the MBUA, adding that Settlement monitoring figures indicated that growth in this tier 4a village was not limited and significantly exceeded the local plan policy of directing limited growth to tier 4 villages.
- Concerns, as also outlined by the Parish Council and Public Speaker against the application, that there were amenity issues relating to loss of on street parking, lights shining into front windows and loss of light and proximity of overlook to Overton on Moorfoot Lane.

Members requested Officers' to review the appropriate wording of the reasons for refusal and report back their advice at the start of the next meeting.

#### Reasons for refusal

Members voted that they were minded to refuse the application on the following grounds

- The overall assessment of the balance of planning gain and loss was negative
- The site cannot be commercially developed and provide a single affordable house
- The mix of housing development significantly differs from the assessed overall need in that the site provides only 16% one and two bedroom properties against a need identified in paragraph 4.30 of the Craven District Plan of 39.4%
- There was no shortfall of housing in the locality or the Craven area as a whole.
- Settlement monitoring figures indicate that growth in this tier 4a village was not limited and significantly exceeds the local plan policy of directing limited growth to tier 4 villages.
- There are amenity issues relating to loss of on street parking, lights shining into front windows and loss of light and proximity of overlook to Overton on Moorfoot Lane

It was moved and seconded that the application be refused. An amendment was then put forward, which was seconded, that the application be deferred until the next meeting with the Committee minded to refuse the application and that Officers' are to review the appropriate wording of the reasons for refusal and report back their advice at the start of the next meeting.

The amendment was then put to the vote and carried by three votes to two (one abstention).

The amendment to defer then became the substantive motion of the Committee and was put to the vote. It was carried unanimously.

The decision:

That the Committee is MINDED TO REFUSE the application and the matter is DEFERRED until the next meeting for the following reason: for Officers' to review the appropriate wording of the reasons for refusal and report back their advice at the start of the next meeting.

#### Voting Record

For Deferral, with the Committee minded to refuse the application for the reasons indicated above – 6 (Unanimous)

**43 Any other items**

None.

**44 Date of Next Meeting**

Tuesday, 5<sup>th</sup> December 2023 – venue to be confirmed.

The meeting concluded at 4.30pm.