

- Meeting:** Skipton and Ripon Area Planning Committee
- Members:** Councillors Barbara Brodigan, Andy Brown (Vice-Chair), Robert Heseltine, Nathan Hull (Chair), David Ireton, David Noland and Andrew Williams.
- Date:** Tuesday, 5th November, 2024
- Time:** 2.00 pm
- Venue:** Belle Vue Square, Skipton BD23 1FJ

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The Council operates a scheme for public speaking at planning committee meetings. Normally the following people can speak at planning committee in relation to any specific application on the agenda: speaker representing the applicant, speaker representing the objectors, parish council representative and local Division councillor. Each speaker has a maximum of three minutes to put their case. If you wish to register to speak through this scheme, then please notify Vicky Davies, Senior Democratic Services Officer by midday on Thursday 31st October 2024.

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Agenda

1. **Apologies for Absence**
2. **Minutes for the Meeting held on Monday 30th September 2024** (Pages 3 - 4)
3. **Declarations of Interests**
All Members are invited to declare at this point any interests, including the nature of those interests, or lobbying in respect of any items appearing on this agenda.
4. **ZC24/01065/RG3- Extension of Pateley Bridge Cemetery, with traditional and natural burial areas, ash interments and soft landscaping and internal access and parking at land comprising field west of cemetery, Panorama Walk, Pateley Bridge on behalf of North Yorkshire Council** (Pages 5 - 20)
Report of the Assistant Director Planning – Community Development Services.
5. **Any other items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
6. **Date of Next Meeting**
Tuesday 03 December, 2024 at 1pm, venue to be confirmed.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Agenda Contact Officer:

Vicky Davies, Senior Democratic Services Officer

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Monday, 28 October 2024

North Yorkshire Council

Skipton and Ripon Area Planning Committee

Minutes of the meeting held on Monday, 30th September, 2024 commencing at 1.00 pm, at Ripon Town Hall, Ripon.

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

Officers present: Stuart Mills, Development Management Team Manager; Emma Howson, Principal Planning Officer – Development; Laura Zielinski, Solicitor; Kelly Dawson, Senior Solicitor; Vicky Davies, Senior Democratic Services Officer and David Smith, Democratic Services Officer. .

Other Attendees: .one Member of the public.

Copies of all documents considered are in the Minute Book

115 Apologies for Absence

There were no apologies for absence.

116 Minutes for the Meeting held on 2nd September 2024

The minutes of the meeting held on 2nd September 2024 were confirmed and signed as an accurate record.

117 Declarations of Interests

There were no declarations of interests.

Planning Applications

The Committee considered a report of the Assistant Director Planning – Community Development Services relating to an applicant for planning permission. During the meeting, officers referred to additional information and representations which had been received.

The conditions as set out in report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act.

In considering the report of the Assistant Director Planning – Community Development Services regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework, and all other material planning considerations.

In granting planning permission in accordance with the recommendations in the report this was because the proposals were in accordance with the development plan, the National

Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below.

118 ZC24/02495/DVCON - Variation of condition 2 (approved plans) of planning permission 20/01087/RG3 - (proposed conversion of existing garage block to 3 bed detached bungalow) to allow for alterations to approved plans at the garage block north of 37 to 41 North Road on behalf of Mr Ben Garfitt (Brierley Homes)

Considered –

The Assistant Director Planning – Community Development Services sought determination of an application to vary the approved plans in relation to the conversion of an existing garage block to form a three-bedroom detached bungalow north of 37 – 41 North Road, Skipton. This application was brought to Committee because the applicant was a company owned by North Yorkshire Council.

Decision:

That the application is GRANTED subject to the conditions as detailed in the Assistant Director's report.

Record of Voting

A vote was taken and the motion was declared carried unanimously.

119 Any other items

There were no urgent items of business.

120 Date of Next Meeting

Tuesday 5th November 2024 at 2pm

The meeting concluded at 1.13 pm.

North Yorkshire Council

Community Development Services

Skipton and Ripon Area Committee

5TH NOVEMBER 2024

ZC24/01065/RG3- EXTENSION OF PATELEY BRIDGE CEMETERY, WITH TRADITIONAL AND NATURAL BURIAL AREAS, ASH INTERMENTS AND SOFT LANDSCAPING AND INTERNAL ACCESS AND PARKING AT LAND COMPRISING FIELD WEST OF CEMETERY PANORAMA WALK PATELEY BRIDGE ON BEHALF OF NORTH YORKSHIRE COUNCIL

Report of the Assistant Director Planning – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for the extension of Pateley Bridge Cemetery on land comprising a field west of the existing cemetery, Panorama Walk, Pateley Bridge.
- 1.2 This application is brought to the Area Planning Committee as it is an application made by North Yorkshire Council

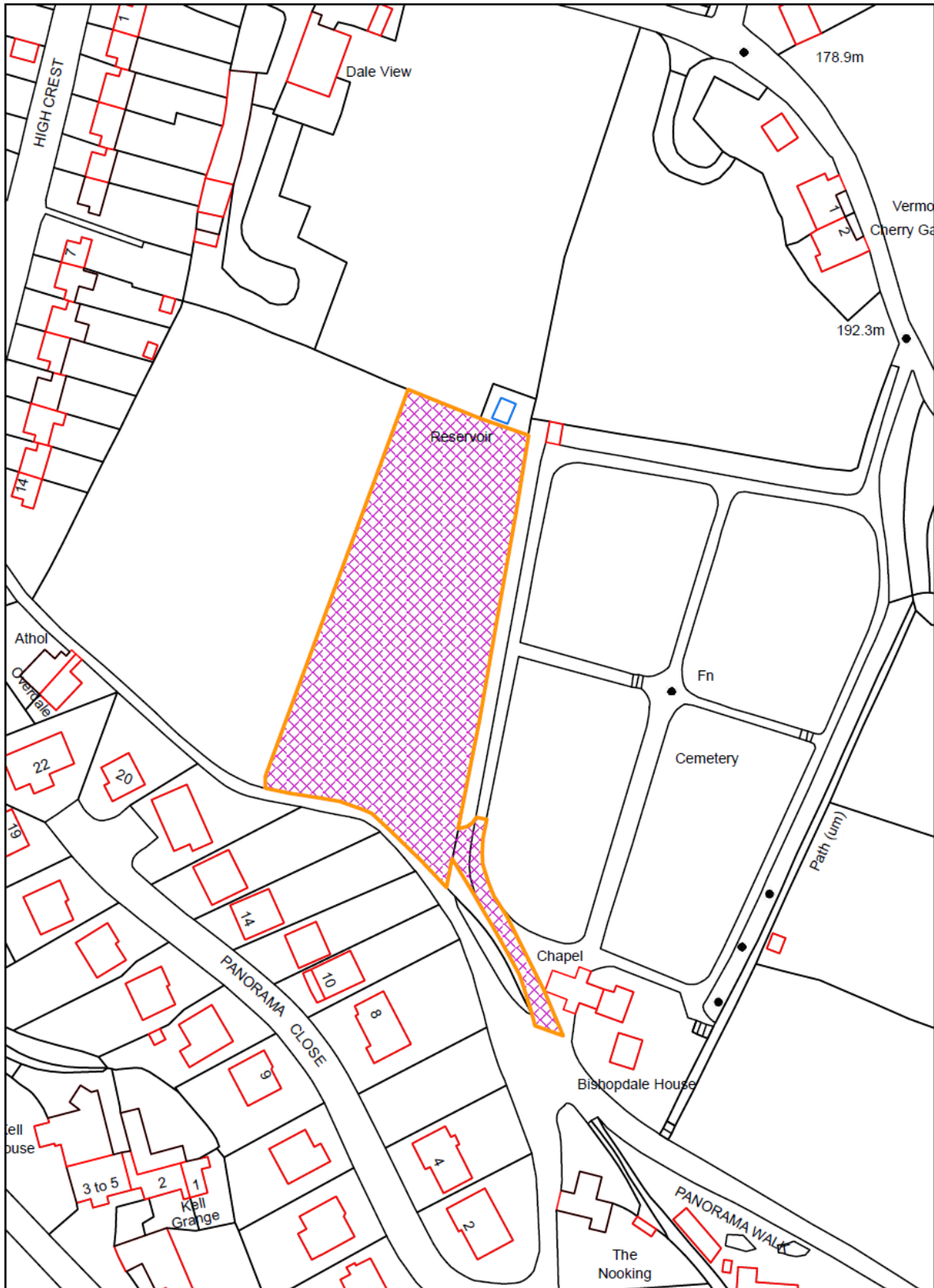
2.0 SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions listed below.

- 2.1. This application seeks full planning permission for an extension to the existing Pateley Bridge Cemetery. The proposed extension will provide an additional 314 burial plots; 48 natural burial plots and 364 ash interments which are accessed by an extended roadway from the existing cemetery through the demolition of a small section of the existing stone wall; with a turning head and hearse and disabled parking. A footway also crosses through the site and benches are also proposed. The proposal has been amended during the application process.
- 2.2. The application site is located on an adjacent agricultural field to the existing cemetery outside the defined development limits of Pateley Bridge and therefore in open countryside. The site is also situated within the buffer of the Pateley Bridge Conservation Area.
- 2.3. The proposed use of the land as part of a cemetery would comprise the development of Open Space. Cemeteries are listed as one of seven types of open space within the Council's SPD 'Provision of Open Space and Village Halls'. Local Plan Policies HP7 and HP8 support the principle of the development.
- 2.4. The application has been supported with an assessment of alternative sites which demonstrates that the proposed site is the most appropriate site for the proposal to support the local need.

- 2.5. It is the Officers opinion that the amended proposal does not create harm to the landscape character of the Nidderdale National Landscape and although 'less than substantial harm' is found in relation to the setting of the Conservation Area this is outweighed by the need for the development.

- 2.6. It is the Officers opinion that the development is not considered to create issues in terms of residential amenity; flood risk; drainage; highway safety or ecology subject to conditions and thus would comply with Local Plan Policies HP4; CC1; TI3; NE3 and NE7.



Location Plan

Scale 1:1,250



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23/10/2024

3.0 Preliminary Matters

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. The application has been amended during the determination process in response to landscape concerns.
- 3.3. There are no relevant planning applications in relation to this application.

4.0 Site and Surroundings

- 4.1. The application site comprises of an area of open field situated immediately to the west of the existing Pateley Bridge Cemetery. A dry-stone boundary wall separates the two sites.
- 4.2. The remaining area of the field outside the application site sits to the west with residential properties beyond. Panorama Walk runs along the southern boundary of the site which is also bounded by a dry-stone wall. Beyond which are the residential properties on Panorama Close. To the north and northeast lie agricultural fields.
- 4.3. A public footpath runs along the eastern boundary and serves the Grade II listed ruins of St Mary's Church and joins on to Church Lane. The vehicular access is shared with the existing cemetery and chapel from Panorama Walk.
- 4.4. The application site covers 0.44 hectares and is located outside the defined development limits of Pateley Bridge and therefore in open countryside. The site is situated within the Nidderdale National Landscape (AONB).

5.0 Description of Proposal

- 5.1. This application seeks full planning permission for an extension to the existing Pateley Bridge Cemetery, with traditional and natural burial areas, ash interments and soft landscaping; internal access and parking.
- 5.2. The proposed extension will provide an additional 314 burial plots; 48 natural burial plots and 364 ash interments which are accessed by an extended roadway from the existing cemetery through the demolition of a small section of the existing stone wall; with a turning head and hearse and disabled parking. A footway also crosses through the site and benches are also proposed.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2. The Adopted Development Plan for this site is:

- Harrogate District Local Plan (adopted 2020).
- Joint Minerals and Waste Plan (adopted 2022).

Emerging Development Plan – Material Consideration

6.3. The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

6.4. Relevant guidance for this application is:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework 2023
- National Planning Practice Guidance
- National Design Guide 2021
- Landscape Character Assessment
- Pateley Bridge Conservation Area Appraisal
- Nidderdale AONB Management Plan

7.0 Consultation Responses

7.1. The following consultation responses have been received and have been summarised below. Focus on the most recent comments from consultees.

7.2. **Parish Council:** supports the proposal.

7.3. **Environmental Health:** No objections

7.4. **NYC Planning Services:** no comments

7.5. **Highways:** recommend conditions.

7.6. **Yorkshire Water:** recommend conditions.

7.7. **AONB JAC:** does not object but seek safeguards in relation to landscape character and make suggestions regarding the softening of the proposed access.

7.8. **Environment Agency** – no objections subject to less than 50 burials per year

7.9. **Arboricultural Officer** – no objections

7.10. **Landscape Officer** – confirms that the amended proposals are now considered to be satisfactory.

Local Representations

- 7.11. 1 local representation has been received of which neither supports or objects to the proposal but raises concerns over the use of a post and rail fence to the western boundary in preference to a dry-stone wall.

8.0 Environment Impact Assessment (EIA)

- 8.1. The Proposed Development was screened under 10 (b) of the Town and Country Planning (Environmental Impact Assessment) 2017.
- 8.2. The Proposed Development is located within Nidderdale National Landscape (formerly known as the Nidderdale Area of Outstanding Natural Beauty) and it is a designated sensitive area as defined by the EIA Regulations.
- 8.3. Considering the nature, scale and location of the Proposed Development and nature of the receiving environment, whilst there may be some impact on the surrounding area and surrounding designated sensitive area as a result of this development, it would not be of a scale and nature likely to result in a significant environmental impact within the context of the EIA Regulations.
- 8.4. The Proposed Development is not therefore EIA Development.

9.0 Main Issues

- 9.1. The key considerations in the assessment of this application are:
- Principle of development
 - Impact on Nidderdale National Landscape
 - Heritage Impacts
 - Impact on Residential Amenity
 - Highways
 - Flood risk; Drainage and Water Supplies
 - Ecology/Biodiversity Net Gain

10.0 ASSESSMENT

Principle of Development

- 10.1. The National Planning Policy Framework 2023 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. There is a presumption in favour of sustainable development and the NPPF advises that there are three dimensions to sustainable development: economic; social and environmental.
- 10.2. The site is outside defined development limits as set out in Local Plan Policies GS2 and GS3. Outside development limits, proposal for new development will only be

supported where expressly permitted by other policies of the plan, a neighbourhood plan or national plan.

- 10.3. The proposed use of the land as part of a cemetery would comprise the development of Open Space. Cemeteries are listed as one of seven types of open space within the Council's SPD 'Provision of Open Space and Village Halls'. Local Plan Policy HP7 therefore applies to the proposed development.
- 10.4. Local Plan Policy HP7 (B(i)) supports proposals for open space which is located in or adjacent to built-up areas or located to best serve the intended catchment population in rural areas.
- 10.5. The proposed development lies just outside the settlement development limit for Pateley Bridge and would be adjacent to the settlement development boundary and in close proximity to the existing built development to the west and south. It would also be adjacent to the existing cemetery which serves Pateley Bridge and would provide additional capacity to serve the local catchment population.
- 10.6. The submitted planning statement sets out that the existing cemetery has only eight burial plots remaining and capacity for a further eight plots for cremation, this equates to two years of burials and four years of cremation capacity. The statement sets out that there is an identified need for further provision. The proposed development would provide approximately 73 years for burials and 182 years for ash internments.
- 10.7. The application includes an alternative site assessment report which has considered eleven sites within a 500m buffer of the settlement area. Four of the initial sites were immediately ruled out due to flood risk and of the remaining seven sites, the application site fared best against the 15 review criteria which included landscape/archaeology/accessibility and ecology.
- 10.8. Local Plan Policy HP7 B sets out four other criteria to be met to ensure suitability and these are covered elsewhere within the report and it is considered that these requirements are met.
- 10.9. Local Plan Policy HP8 also supports proposals for the improvement or extension of existing community facilities.
- 10.10. Local Plan Policy GS6 states that applications for major development in the AONB will be refused unless justified by exceptional circumstances, and that the Council will determine such applications in accordance with the approach set out in national policy.
- 10.11. Paragraph 183 of the NPPF also states that permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest and includes an assessment of need; alternatives and impacts.
- 10.12. Footnote 64 of the NPPF sets out that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purposes for which the area is designated.

- 10.13. The application has been assessed and is the Officers opinion that the proposal is not considered to be a 'major development' in relation to footnote 64 due to the limited amount of proposed development and the open nature of the proposal.

Impact on Nidderdale National Landscape

- 10.14. Section 245 of the Levelling-up and Regeneration Act 2023 has amended the previous duty of regard under section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act) to create a new duty for relevant authorities in AONBs (National Landscapes). The new duty requires that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 10.15. Local Plan Policy HP7 B (iii) and (iv) state that proposals for the development of new open space should ensure that new buildings or structures are well designed and appropriately integrated into the landscape, and that proposals on the edge of settlements should not have an adverse impact on the setting of the settlement.
- 10.16. Policy GS6 states that proposal will only be supported where they do not detract from the natural beauty and special qualities of the AONB, and support the economic, social and environmental well-being of the area. Local Plan Policy HP3 seeks to preserve local distinctiveness and Policy NE4 to protect the wider landscape character of the Local Plan area.
- 10.17. The application site is located within Landscape Character Area 11 – Nidderdale Valley – Pateley Bridge to Summerbridge. This is a sensitive area with a number of key footpaths through the area. Maintaining the field pattern is considered to be important when considering rural developments, along with the preference for small scale development which does not adversely impact on the landscape character.
- 10.18. An LVIA has been submitted in support of the application which concludes that the effect of the proposal on the viewpoints would be neutral to minor adverse, however the proposal is seen against existing built development as it is located at the edge of the settlement.
- 10.19. The Council's Environment and Design Manager reviewed the LVIA and raised concerns that the viewpoints from the nearby footpath were quite prominent. The assessment continues that the site is predominately rural and that although the proposal would be an extension to the formal Victorian cemetery that it would be more appropriate to retain the character of the existing meadow with minimal incursions of hardstanding and informal meadow planting.
- 10.20. The application has been amended during the application process to reduce the landscape impact of the proposal in light of the above comments. The proposed hedge planting has been removed and the planting scheme altered. The form of development has been reduced in scale and whilst it would have been preferable to avoid a highway through this area of field, it is not possible to avoid due to the operational requirements in relation of this type of provision. An alternative vehicular arrangement was discussed

but due to the typography of the site this was also found to be unsuitable due to the level of retaining structures that would be required to facilitate the proposal due to the changes in level. The amount of hardstanding has however been reduced to the minimum requirements and proposed car parking has been removed as sufficient car parking can be provided within the existing cemetery. The retaining structure required to enable the vehicular and pedestrian access is now to be provided using a timber crib structure with planting which will reduce the overall impact in longer views.

- 10.21. The design of the benches has also been amended to represent a more rural character rather than a more formal urban design. The benches should remain of this design to ensure the landscape impact is minimised and this should be achieved through a condition.
- 10.22. The Landscape Officer recommended that the boundary of the site was created by a post and rail fence along with the removal of more formal planting.
- 10.23. Concerns have been raised by a member of the public with regards to the use of a post and rail fence rather than a dry-stone wall, but this more formal solid boundary would affect the existing field pattern and is not considered to be appropriate.
- 10.24. The applicant has amended the scheme to overcome the concerns of the Landscape Team and the Environment and Design Manager has confirmed that the proposal is acceptable.
- 10.25. The site is bounded by a number of footpaths but due to the limited scale of the proposal it is not considered that the enjoyment of the users of these paths would be diminished through the proposal.
- 10.26. Conditions are recommended in relation to the implementation of the meadow planting scheme and boundary treatments to ensure that the landscape character of the Nidderdale National Landscape is preserved.
- 10.27. The proposal is on this basis considered to comply with Local Plan Policy HS7; NE4; HP3 and GS6.

Heritage

- 10.28. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a Conservation Area.
- 10.29. In determining planning applications concerning the historic environment, Section 16 of the NPPF indicates that local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

- 10.30. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 10.31. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.
- 10.32. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.33. Harrogate Local Plan Policy HP2 seeks to ensure that proposals for development that would impact on heritage assets (designated and non-designated) will be determined in accordance with national policy. Proposals affecting a heritage asset, or its setting, must protect or enhance those features which contribute to its special architectural or historic interest. Local Plan Policy HP3 seeks to preserve local distinctiveness.
- 10.34. The application site lies outside the settlement of Pateley Bridge but forms part of the setting of the Conservation Area. A key view is shown within the Conservation Appraisal from the listed church across the existing cemetery and the application site into Pateley Bridge.
- 10.35. The Conservation Appraisal sets out that 'New development on the edge of Pateley Bridge should be of appropriate scale and take account of the existing landscape pattern and setting on the edge of the town. Harsh lines of built development should be avoided, rather development at the urban edge should be designed to maintain the distinctiveness of place'.
- 10.36. It is the Officers opinion that the proposal retains the openness of the landscape and avoids any harsh lines through the use of the post and rail boundary. The scale of the proposal has been reduced through the application process and is now considered to be appropriate to the location and the setting of the Conservation Area.
- 10.37. The proposal will lead to less than substantial harm to the Conservation Area through the introduction of built form in an existing open area, but the key view through the site is preserved. It is however considered that this harm is outweighed by the need for the provision.

- 10.38. On this basis it is considered that the proposal complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policy HP2.

Impact on Residential Amenity

- 10.39. Paragraph 135 of the NPPF sets out the requirement for a high standard of amenity to be provided for both existing and future occupiers. Policy HP4 of the Local Plan states that 'development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours'.
- 10.40. The existing cemetery sits adjacent to the rear boundaries of the existing properties on Panorama Close separated by the existing footpath. The proposed extension will sit in a similar arrangement to the properties further west on Panorama Close.
- 10.41. The existing access to the Chapel and Cemetery passes the entrance to Panorama Close and this method of access to the larger site would remain the same. The proposed vehicular access into the extended section of the cemetery would sit behind the existing boundary wall at around 30m distance from the rear elevations of the neighbouring dwellings.
- 10.42. Whilst there is potential for a slight increase in the number of visitors on the site from the increased number of plots it is not considered that the proposal would create a substantially greater impact than the existing cemetery. The parking will remain within the existing cemetery and the proposed hearse and disabled parking spots are over 50m from the nearest boundary.
- 10.43. The nature of the provision being one of tranquillity with only approximately 4 burial services and two cremations on average each year.
- 10.44. It is not considered that the proposal would create harm to the amenity of the neighbouring properties and would comply with Local Plan Policy HP4.

Highways

- 10.45. Local Plan Policy TI3 sets out the local parking requirements for developments. Paragraphs 114 and 115 in the NPPF set out the requirement for safe and suitable access to be achieved for all users and that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety.
- 10.46. The proposal will use the existing access arrangement and parking provision on the wider site. The Highways Authority have reviewed the amended scheme and have confirmed that the site can provide a suitable level of parking and the intensification of the use would not create issues of highway safety. A condition is recommended in relation to the provision of the proposed access, turning and parking areas on the extended site.

Flood Risk and Drainage and Water Supplies

- 10.47. Local Plan Policy CC1 sets out the requirements of developments in relation to flood risk. The application site is located in an area designated as Flood Zone 1 by the Environment Agency and in an area of very low risk of surface water flooding.
- 10.48. The application is supported by a Flood Risk Assessment; Drainage Strategy and Groundwater Risk Assessment which raise no concerns in relation to the potential impact of the proposal in terms of flood risk, surface water drainage or the impact on groundwater.
- 10.49. There are three private boreholes and water supplies in the vicinity of the application which have been identified by the Council's Environmental Health team. The Environment Agency have been consulted on the proposal and following the provision of additional information in relation to these private boreholes by the applicant, they raise no objections subject to no more than 50 burials per year been undertaken. This can be secured by condition.
- 10.50. Yorkshire Water has recommended a condition in relation to surface water drainage.
- 10.51. It is considered that the proposal would not create harm in relation to flood risk; drainage or water supplies and complies with Local Plan Policy CC1.

Ecology and Biodiversity Net Gain

- 10.52. Paragraph 180 of the NPPF states that the 'intrinsic character and beauty of the countryside' should be recognised including trees and woodland and minimising impacts on biodiversity.
- 10.53. Paragraph 186 of the NPPF states that opportunities to improve biodiversity in and around development should be integrated as part of their design.
- 10.54. Local Plan Policy NE3 seeks to protect and enhance biodiversity whilst Policy NE7 seeks the protection of the natural landscape and trees and woodland.
- 10.55. The site is not in an ecological designation and is an area of open land. The application site is an area of agricultural grazing land and whilst the proposal will lead to the loss of some habitat through the proposal, this is offset by the proposed meadow planting scheme proposed.
- 10.56. The Council's Arboricultural Officer has reviewed the application and raises no objections.
- 10.57. The application was submitted prior to the implementation of statutory Biodiversity Net Gain requirements and it is considered that the proposal will not have a significant adverse impact on local ecology and would comply with Local Plan Policies NE3 and NE7.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The site is outside defined development limits as set out in Local Plan Policies GS2 and GS3. Outside development limits, proposal for new development will only be supported where expressly permitted by other policies of the plan, a neighbourhood plan or national plan.
- 11.2. The proposed use of the land as part of a cemetery would comprise the development of Open Space. Cemeteries are listed as one of seven types of open space within the Council's SPD 'Provision of Open Space and Village Halls'. Local Plan Policies HP7 and HP8 are considered to support the proposal in principle.
- 11.3. The proposal has been amended during the application process to reduce the level of hardstanding proposed and provide a more suitable landscaping scheme. It is considered that following these amendments that the proposal would not create adverse harm to the Nidderdale National Landscape and therefore the development would accord with Local Plan Policies NE3 and GS6.
- 11.4. The site is located within the buffer of the Pateley Bridge Conservation Area, however the scheme would retain the important view through the site and whilst the proposal would create 'less than substantial harm' due to the introduction of built form into the open setting, the proposal seeks to retain a large element of this openness and the harm is outweighed by the demonstrated need for the proposal. The proposal would therefore accord with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policy HP2.
- 11.5. The development is not considered to create issues in terms of residential amenity; flood risk; drainage; highway safety or ecology subject to conditions and thus would comply with Local Plan Policies HP4; CC1; TI3; NE3 and NE7.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to conditions listed below

Recommended conditions:

Condition 1 Time Limit

The development hereby permitted shall be begun on or before 3 years of date of decision.

Reason: To ensure compliance with Sections 91-94 of the Town and Country Planning Act

Condition 2 Approved Plans

The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details:

Landscape Master Plan – C1052_P02-L-PL-10 Rev 4

Hard Landscaping, Edging and Furniture Plan – C1052_P02-L-PL-12 Rev 4

Grass Seeding Plan – C1052_P02-L-PL-15 Rev 4

Tree and Hedge Planting Plan - C1052_P02-L-PL-14 Rev 4
 Landscape Master Plan 1:200 - C1052_P02-L-PL-16 Rev 4
 Planting Plan – Timber Crib Wall - C1052_P02-L-PL-17
 Boundary Treatment Plan - C1052_P02-L-PL-20
 Access and Circulation - C1052_P02-L-PL-21 Rev 4

Reason: In order to ensure compliance with the approved drawings.

Early Stage/ Construction Period

Condition 3 Surface Water Drainage

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted within the Flood Risk Assessment & Drainage Strategy 204197-SWH-ZZ-01-DR-RP-0000 (revision 01) prepared by Scott White and Hookins (SWH), dated 22/03/2024.

Reason: In the interests of providing a suitable drainage system and to accord with Local Plan Policy CC1.

Pre-Use

Condition 4 Access, Turning and Parking

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Pateley Bridge Cemetery have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development and to accord with Local Plan Policies TI3 and HP4.

Condition 5 Landscaping

No part of the development shall be brought into use until the soft landscaping scheme and boundary treatments have been carried out in accordance with the detail set out in the approved plans.

Reason: In the interests of preserving the character and appearance of the Nidderdale National Landscape and to improve biodiversity and to accord with Local Plan Policies GS6, NE3 and NE4.

Other

Condition 6 Landscaping

In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

Reason: In the interests of preserving the character and appearance of the Nidderdale National Landscape and to improve biodiversity and to accord with Local Plan Policies GS6, NE3 and NE4.

Condition 7 Benches

The benches hereby approved shall be installed as per the details approved on the Hard Landscaping, Edging and Furniture Plan - C1052_P02-L-PL-12 Rev 4 and shall be maintained and retained as such for the lifetime of the development.

Reason: In the interests of preserving the character and appearance of the Nidderdale National Landscape and to accord with Local Plan Policies GS6 and NE4.

Condition 8 Burials

No more than 50 burials shall be undertaken per annum.

Reason: In the interests of preserving the local private water supplies

Target Determination Date: 12.11.2024

Case Officer: Emma Howson, emma.howson@northyorks.gov.uk

Appendix A – Proposed Layout Plan

