

# North Yorkshire Council

## Skipton and Ripon Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 1st August, 2023 commencing at 2.00 pm.

Councillors Nathan Hull in the Chair plus Andy Brown, Robert Heseltine and David Noland.

Officers present: Nick Turpin, Planning Manager (Harrogate), Kelly Dawson, Senior Solicitor, Kate Broadbank, Principal Development Management Officer, Keith Jameson, Principal Engineer Transport and Development, Vicky Davies, Senior Democratic Services Officer and David Smith, Democratic Services and Scrutiny Officer.

Apologies for absence were received from Councillors Barbara Brodigan, David Ireton and Andrew Williams.

---

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

---

#### 15 Apologies for Absence

Apologies for absence were received from Councillors Barbara Brodigan, David Ireton and Andrew Williams.

#### 16 Minutes of the Meeting held on 4 July 2023

The minutes of the meeting held on Tuesday 4 July 2023 were, subject to a minor amendment, confirmed and signed as an accurate record.

#### 17 Declarations of Interests

Councillor Nick Brown declared an interest in item 4 on the agenda as he was Division Member for the site location of application 21/01833/FULMAJ. He stated he would keep an open mind and intended to speak and vote.

#### 18 **21/01833/FULMAJ - Erection of 23 No. residential dwellings including associated access, landscaping and drainage works at land comprising field at 432860, 465899, Knaresborough Road, Bishop Monkton**

Considered:

The committee considered a report of the Assistant Director Planning - Community Development Services relating to planning application 21/01833/FULMAJ which had been deferred from 6<sup>th</sup> June 2023. An updated report was presented to the Committee.

Jonathan Beer from Bishop Monkton Action Group spoke objecting to the application.

Parish Councillor Dean Culshaw spoke on behalf Bishop Monkton Parish Council objecting to the application.

The applicant's agent, Steven Longstaff, spoke in support of the application.

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

- At the start of the meeting, Members had been provided with photographs from Bishop Monkton Action Group. In addition, two letters from Mr Stanley Mackintosh on behalf of the City of Ripon Trust circulated to Members. Those letters stated that, the Trust did not believe that the ground stability report and ground stability declaration form submitted by the applicant met the statutory requirement for authorship by a competent person. In response, the planning officers stated they were satisfied that the information provided by the applicant was acceptable and compliant with policy requirements.
- Members were disappointed that Yorkshire Water did not send a representative to the meeting to answer their concerns, instead choosing to provide additional written comments. Yorkshire Water stated two reasons for not objecting to the application, the more pertinent one being that most, if not all, of the sewage escapes were not due to capacity issues but were caused by blockages created by individuals who were misusing the sewer network.
- Members noted that Highways officers had been re-consulted and that their position had not changed, in that the chicane was positioned in the optimum location as vehicles would slow down as they approached it and the crossing point.
- Members were informed that as a planning application had been submitted, it was not necessary for a separate application under the 1997 Hedgerow Regulations to be submitted and assessed. Members were reminded that hedgerow removal, as part of an approved planning application was exempt from the Regulations under Section 6(e). This states that the removal of any hedgerow to which the Regulations apply is permitted if it is required for carrying out development for which planning permission has been granted or is deemed to have been granted. This permitted development right applies in this case and there was no requirement for the applicant to submit a separate Hedgerow Removal Notice for consideration. The importance of the hedgerow had been considered in relation to ecology and the character and appearance of the conservation area as part of the determination of the application.
- Members debated the potential benefits of the application such as affordable housing and balanced those benefits against the potential for making the sewerage issues in the village worse as well as the impact the part removal of the hedge would have on the Grade II Listed church and Conservation Area.

The decision:

That planning permission be REFUSED for the following reasons:

- (i) The application, by reason of the loss of part of the hedge along Knaresborough Road, is considered to cause harm to the Bishop Monkton Conservation Area contrary to paragraph 202 of the NPPF and Local Plan Policy HP2. The loss of part of the hedge will also cause harm to the setting of the Grade II Listed Church. This harm is not considered to be outweighed by the public benefits of the proposal.
- (ii) There has been a material change in circumstance since the adoption of the Local Plan in relation to the capacity of the sewerage system in Bishop Monkton which makes permitting the development on this site inappropriate and contrary to Local Plan Policy NE2.

#### Voting Record

For refusal 4; Abstention 1.

Note: Councillor Nick Brown, having declared a personal interest as Division Member, remained in the meeting and took part in the discussion and voting on the above application.

**19 Any other items**

There were no urgent items of business

**20 Date of Next Meeting**

Tuesday, 5 September 2023 – venue to be confirmed.

The meeting concluded at 3.55 pm.