

North Yorkshire Council

Skipton and Ripon Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 2nd April, 2024 commencing at 1.00 pm.

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

Officers present: Catriona Gattrell, Head of Legal Property, Planning and Environment; Neville Watson, Planning Manager; Nick Turpin, Planning Manager; Emma Howson, Senior Planning Officer – Development Management; Vicky Davies, Senior Democratic Services Officer; and David Smith, Democratic Services Officer.

Apologies: Councillor David Noland.
Councillor Williams left the meeting at 3.09pm.

Copies of all documents considered are in the Minute Book

79 Apologies for Absence

An apology for absence was received from Councillor David Noland.

80 Minutes for the Meeting held on 5th March 2024

The minutes of the meeting held on Tuesday, 5th March 2024 were confirmed and signed as an accurate record.

81 Declarations of Interests

There were no declarations of interests.

Planning Applications

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the 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 1990.

In considering the reports 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. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is 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. Where the Committee refused planning permission contrary to the recommendation in the report the reasons for doing so are set out below.

82 ZA23/25492/FUL - Full Planning Permission for Erection of Four Two Storey Houses and Works to Boundary Wall at Grundy Farm, Carleton, Skipton, BD23 3DE on behalf of RN Wooler & Co.

Considered:

The Assistant Director Planning – Community Development Services sought determination of a planning application that had raised significant planning issues of public interest for the erection of four two storey houses and work to a boundary wall at Grundy Farm, Carleton, Skipton.

Angela Dowbiggin spoke on behalf of the objectors.

On behalf of the Division Member, Councillor Andy Solloway, a statement was read out by David Smith, Democratic Services Officer.

Philip Holmes spoke on behalf of Carleton-in-Craven Parish Council objecting to the application.

The applicant's representative, Liz Walker, spoke in support of the application.

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

- Members noted that there was an extant planning permission for the provision of dwellings on part of the site that could be implemented.
- What was the density per acre of the development and the number of 1 and 2 bed houses achieved and recommended in the Local Plan.
- The current assessed housing shortfall in both Carleton and the Craven area.
- Although the former Craven District Council had approved an updated Carleton Conservation Area, the Solicitor to the Committee confirmed that as it was not a North Yorkshire adopted policy, no weight could be attached to it.
- Whilst Carleton had almost reached its settlement limit target, the Planning Manager stated that that figure was a minimum not a maximum and each application had to be judged on its merits.
- Concern was expressed that the proposed semi-detached dwellings would straggle the boundary of Grundy farm and therefore be in the open countryside.

The decision:

That, against officer recommendation, planning permission be REFUSED.

Voting record: a vote was taken and declared carried unanimously.

Reasons for Refusal:

1. The proposed development extends beyond the site identified in the adopted Craven Local Plan (Policy SP1) as a housing commitment and it has not been demonstrated that the planned growth in the spatial strategy for Carleton (identified as a Tier 4a settlement in the Plan) will not be delivered during the plan period and therefore conflicts with Policy SP4 (I(a) of the Craven Local Plan.

2. The proposed development does not provide an appropriate mix of housing having regard to the dwelling size and mix recommended in the SHMA and therefore conflicts with Policy SP3(a) of the Craven Local Plan.
3. The proposed development would result in harmful encroachment and urbanisation in the countryside which would diminish its openness, character and quality in conflict with saved policy ENV1 of the Craven Local Plan which seeks to protect the countryside from sporadic development and paragraph 180 of the National Planning Policy Framework which also seeks to protect the intrinsic character of the open countryside.

83 ZA23/25598/LBC - Listed Building Consent for Works to Boundary Walls at Grundy Farm, Carleton, Skipton, BD23 3DE on behalf of RN Wooler & Co.

Considered:

The Assistant Director Planning – Community Development Services sought determination of a listed building application for works to the boundary walls at Grundy Farm, Carleton. Members were advised that, the application, whilst linked to application **ZA23/25492/FUL** stood by itself and fair consideration was required.

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

1. The removal of a section of Grade II boundary wall and repositioning the historic pillar.
2. The conversion and remodelling of the barn into two garages was within the farm curtilage and would not infringe on, or affect the countryside.
3. The Council’s heritage advisor had no objection on heritage grounds.

The decision:

That the Committee were minded to APPROVE listed building consent subject to the conditions set out in the report with delegated authority to the Planning Manager.

Voting record: a vote was taken and four voted for the motion to approve the application and three voted against.

(A short comfort break was taken at 2.30pm.)

84 ZC23/03583/FUL - Sub-Division of Existing Cottage into Two Dwellings and Erection of Single Storey Extensions to Rear. Erection of 2 no. Dwellings with Outbuildings to Rear (Revised Scheme with Alterations to Parking and Position of Dwellings) at 1 Harewell View, Glasshouses on behalf of Mr J Robinson

Considered:

The Assistant Director Planning – Community Development Services sought determination of a planning application for the subdivision of an existing cottage into two dwellings with single storey extensions proposed to the rear and the erection of 2 no. dwellings with rear outbuildings on land at 1 Harewell View, Glasshouses.

Mr Lawrence Sherrington spoke as an objector.

Councillor John Ward spoke on behalf of Pateley Bridge Town Council.

The applicant's representative Mr James Robinson spoke in support of the application.

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

1. Concern expressed regarding the impact and diversion of a public right of way. It was confirmed that the diversion was not part of this application and this issue was not a matter for this Committee.
2. Members felt that it was Important to keep the right of way open. However, the Committee were advised that any condition had to be enforceable and it was not something that could be included as a condition of any planning permission.

The decision:

That the application be APPROVED subject to the conditions set out in the Assistant Director's report and subject to an amended plan number in Condition 2 Approved Plans.

Voting record: five voted for approval and there were two abstentions.

85 ZA23/25559/FUL - Erection of 1 no. Dwelling at Mill Cottage, Cowling on behalf of Mr Widdup

Considered – The Assistant Director Planning – Community Services sought determination of a planning application for the erection of a 1 no. detached dwelling at Mill Cottage, Cowling. The application had been brought to Committee because the applicant was the partner of a member of the Craven Area Development Management Team and the applicant had an interest in the land. The application had been deferred at the Committee's last meeting to enable a site visit to take place.

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

1. The potential for highways issues due to the unsatisfactory access to the proposed development. Whilst the access already existed for current residents, Members were advised that the extra dwelling and resultant increase in traffic would compound the highways safety concerns that already existed.
2. The LPA did not have the powers to control or enforce the use of the Colne Road access or the second access point, particularly by existing homeowners who would probably have an existing two way right of access to use their properties.
3. The heritage consultant stated there would be fundamental harm to the significance of the Conservation Area.
4. The trees would protect the amenity of the Conservation Area.
5. Queries whether the site actually had historically flooded, even though the Environment Agency had identified the area as being within Flood Zone 3.

The decision:

That planning permission is REFUSED.

Voting record: Three Members voted for the motion; three Members voted against the motion. The Chairman used his casting vote and the motion to refuse the application was carried.

Reasons for Refusal:

1. The proposed development by virtue of its location, scale and design would create harm to the openness and the character and appearance of the Conservation Area and the

dynamic views down to the valley floor of the historic core of Ickornshaw from Colne Road and the nearby public footpath. The proposal would create 'less than substantial harm' and the public benefits are not considered to outweigh that harm. The proposal is therefore contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Local Plan Policies ENV2, ENV3 and SP4 and Section 16 of the NPPF.

2. The application site is located within Flood Zone 3, which is defined as having the highest probability of flooding, and in an area of high risk in terms of surface water flooding. This has been confirmed by the Environment Agency. The applicant has not supplied a sequential test and has not demonstrated that there are no reasonably available sites in a lower area of flood risk than the proposed development. Nor has a suitable Flood Risk Assessment been provided. This would conflict with paragraphs 165, 168 and 173 of the NPPF and Local Plan Policies ENV6 and SP4.
3. The proposed development would provide a poor level amenity due to the proximity of the large trees adjacent to the site which would make the house dark with restricted light to the kitchen and bedrooms along with the rear patio area. This would be contrary to Local Plan Policy ENV3 and paragraph 135 of the NPPF.
4. The proposed development due to its proximity to the neighbouring trees and the impact on amenity would put the trees under threat from future works. This would be contrary to Local Plan Policies ENV3 and ENV4 and also paragraph 180 of the NPPF.
5. The proposal would intensify the use of a poor quality access arrangement which would have the potential to create issues in terms of highways safety. The proposed parking arrangement would exacerbate these issues as the proposal does not demonstrate that adequate turning arrangements can be provided. This would be contrary to Local Plan Policy INF4 and paragraphs 114 and 115 of the NPPF.

86 Any other items

The Committee discussed site visits and whether they should take place before the day of the Committee, particularly given the large breadth the Area Planning Committees had to cover.

Agreed – That, the matter of the day site visits are held is put to the Chairs and Vice- Chairs of the six Area Committees' at their next briefing.

A verbal update was given by the Skipton Planning Manager on the progress of the application known as 'Hellifield Flashes' and he undertook to provide further written details to Members of the Committee.

87 Date of Next Meeting

7th May 2024, venue to be confirmed.

The meeting concluded at 3.43pm.