

North Yorkshire Council

Skipton & Ripon Area Constituency Planning Committee

Minutes of the meeting held on Tuesday 6th August at 1.00pm at Belle Vue Square Offices, Skipton.

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

Officers present: Kate Lavelle, Solicitor; Stuart Mills, Development Management Team Manager; Andrea Muscroft, Development Management Team Manager; Emma Howson, Principal Development Management Officer – Development Management; Sam Binney, Senior Planning Officer – Development Management; Vicky Davies, Senior Democratic Services Officer; and David Smith, Democratic Services Officer.

Apologies: Councillor David Noland and Andrew Williams.

Copies of all documents considered are in the Minute Book

10 Apologies for Absence

Apologies were received from Councillor Noland (substitute Councillor Solloway) and Councillor Williams.

11 Minutes for the Meeting held on 3rd June 2024

The minutes of the meeting held on 3rd June 2024 were, subject to a minor amendment, confirmed and signed as an accurate record.

12 Declarations of Interests

There were no declarations of interests.

Councillor Brown declared that he had been lobbied in respect of application ZA23/25043/FUL.

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 conditions 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 granted planning permissions in accordance with the recommendations in the reports 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 reports unless otherwise specified below.

13 Application ZA23/25403/FUL – Residential development with access, associated landscaping, green infrastructure, and other associated work at land off Marton Road, Gargrave on behalf of R N Wooler & Co.

Considered:

The Assistant Director Planning – Community Development Services sought determination of an application for development at Marton Road, Gargrave. The application had been deferred from the 3rd June 2024 to enable further consultation with highways to take place in relation to concerns on the impact of traffic on Marton Road for pedestrian users and whether there were any potential mitigation measures that could be introduced.

The following persons made representations to the Committee:

Ms Helen Johnson spoke on behalf of the objectors.
Mr Gregory Butt spoke on behalf of Gargrave Parish Council.
Councillor Simon Myers, Division Member for Mid Craven submitted a written statement which was read out by the Democratic Services Officer.
Mr Jamie Pert spoke on behalf of the applicant.

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

1. The Highways Authority had revisited the site and reviewed the information and documents in relation to traffic volumes.
2. Many of the concerns about highway safety relate to existing issues and traffic movements, particularly large agricultural vehicles and Highways had taken these on board.
3. Following a re-consultation Highways recommended the provision of a footpath from Walton Close to Walton Avenue running on the Northerly side of Marton Road.
4. Members noted that the application site was in accordance with the Craven Local Plan and the Gargrave Neighbourhood Plan.
5. Following a query from Members at the last meeting, it was confirmed that the site adjoining the application site was not in the ownership of the applicant and that access to that field would be through the development site.
6. Local concern that the footpath could be widened into a full road access.
7. Officers confirmed that there would be a Section 278 legal agreement with regards to the footpath link and a Section 106 agreement in relation to affordable housing and public open spaces.
8. Lack of solar panels in the scheme but Members were informed that an enhanced Sustainable Design and Construction Statement for the site had to be submitted and approved and development had to be carried out in accordance with it.

The decision:

That, planning permission is GRANTED subject to the conditions set out in the Head of Development Management's report and the completion of a S106 agreement with terms as set out in Table 1 of the report now submitted:

Voting record: Three Members voted for the motion and two Members abstained from voting. The motion was declared carried.

14 Application ZCA23/01691/FUL – Conversion of four traditional farm buildings to form 4 no. dwellings with associated works, including the creation of dedicated parking

and private gardens and demolition of modern farm buildings at Manor Farm, Fearby on behalf of Swinton Estates.

Considered:

The Assistant Director Planning – Community Development Services sought determination of a planning application for the conversion of four traditional farm buildings to form four dwellings with associated works, including the creation of dedicated parking and private gardens and demolition of modern farm buildings at Manor Farm, Fearby. The application had been submitted to the Area Planning Committee for determination as the applicant was related to a local Member of North Yorkshire Council.

Tim Davies, on behalf of the applicant spoke in support of the application.

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

1. In responding to Members observations that there was no evidence of solar panels or electric vehicle charging points, the case officer stated that she thought EVC points would be provided and the energy statement submitted by the applicant exceeded the requirements of Building Regulations.
2. Listed Building consent, with many caveats, would be required to place Solar panels on Listed Buildings.
3. There was currently no North Yorkshire Council planning policy to restrict the dwellings to be solely used for market housing.
4. The development of a new North Yorkshire Local Plan was an opportunity to look at policies in relation to primary dwellings for certain areas of the County.
5. The scheme would bring back into use redundant buildings that would otherwise be left to decay further resulting in possible demolition.
6. There was no requirement to provide affordable housing as the threshold had not been met.

The decision:

That, planning permission be GRANTED subject to the conditions set out in the Assistant Director Planning's report as now submitted.

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

- 15 ZC23/01692/LB – Internal and external alterations to Grade II Listed barn North-East of farmhouse comprising of replacement timber windows/doors, 2 no. conservation style rooflights, 1 no. internal opening, internal staircase and new first floor structure in association with conversion to a two bedroom dwelling at Manor Far, Fearby, on behalf of Swinton Estates.**

Considered:

The Assistant Director Planning – Community Development Services sought Listed Building consent for the internal and external alterations to Grade II Listed barn North-East of farmhouse comprising of replacement timber windows/doors, 2 no. conservation style rooflights, 1 no. internal opening, internal staircase and new first floor structure in association with conversion to a two bedroom dwelling at Manor Farm in Fearby. The application had been brought to Committee for determination as the applicant was related to a local Division Member.

The applicant's representative Mr Tim Davies spoke in support of the application.

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

1. Members wanted reassurance that the works would be sympathetic and would conserve the buildings for the future.
2. In terms of roof materials Members requested that conditions clearly stipulate that replacement tiles matched the existing Yorkshire grey slate tiles and the rooflights were in keeping with the buildings listed status. The case officer confirmed that conditions 4 and 7 safeguarded these aspects of the development.

The decision:

That, listed building consent be GRANTED subject to the conditions set out in the Assistant Director Planning's report as now submitted.

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

16 ZC24/01406/FUL – Conversion of existing stable to form one new custom build dwelling house with associated garden and parking areas at Bogs Hall Stables, Bogs Hall Farm, Kirkby Malzeard.

Considered – The Assistant Director Planning – Community Services sought determination of a planning application for the conversion of an existing stable to form one new custom build dwelling with associated garden and parking areas at Bog Hall Stables, Bogs Hall Farm, Kirkby Malzeard. The application was before the Area Planning Committee for a decision because the applicant was a member of the Development Management Team – Harrogate.

The Chair advised the Committee that no one had requested to make representations

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

1. No bio-diversity net gain measures were included with the application because the planning framework set out exceptions for self-build properties.
2. Members noted that there would be a legal agreement so that the first occupation of dwelling would be by the person/s who had had primary input into the design and layout and would be for a period of at least three years.
3. Enforcement of the agreement regarding occupation was discussed and it was suggested that a CIL payment could be required.
4. Members questioned whether a conversion of the stable could be identified as a custom build dwelling. The case officer advised that the proposed custom build dwellinghouse met the definition as set out in relevant legislation.

The decision:

That, planning permission be GRANTED subject to the conditions and completion of a unilateral legal agreement with terms as detailed in Table 1 set out in the Assistant Director Planning's report as now submitted.

Voting record: Three Members voted for the motion and two Members voted against. The motion was declared carried.

17 Any Other Items

There were no urgent items of business.

18 Date of Next Meeting

Monday 2nd September 2024.

The meeting concluded at 3.06pm

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