YORKSHIRE DALES NATIONAL PARK AUTHORITY **ITEM 1**
PLANNING COMMITTEE

Minutes of the meeting held at Yoredale, Bainbridge on Tuesday, 11 December 2018.

Present:

John Blackie, Chris Clark, Allen Kirkbride, Carl Lis, Julie Hutton, Jocelyn Manners-Armstrong, Julie Martin, Ian McPherson, Ian Mitchell, William Patterson, Yvonne Peacock, Neil Swain, Caroline Thornton-Berry (in the Chair), Cosima Towneley and Richard Welch.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

64/18 MINUTES

RESOLVED –

That the minutes of the meeting held on 13 November 2018, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

65/18 PUBLIC QUESTIONS/STATEMENTS

No notifications of public questions or of the intention to make a statement had been received.

66/18 EXCLUSION OF THE PUBLIC

In consideration of the urgent business item (Item 7) and pursuant to Section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of Item 7 on the agenda on the grounds that it involves the likely discussion of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972.

67/18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTION

Apologies were received from Jim Munday for whom Julie Hutton attended as substitute, Gillian Quinn and Margaret Pattison.

68/18 DECLARATIONS OF LOBBYING

Members made the following declarations of lobbying:

Member	*Agenda item(s) on which lobbied*	*For or Against*
John Blackie	Agenda Item Nos 5(a) (b) (c)	For the application
	Plans List Nos 1, 2 & 3	
Allen Kirkbride	Plans List Nos 2, 3 & 7	For the application
Carl Lis	Plans List No 3	For the application
	Plans List No 7	For the application

Member	*Agenda item(s) on which lobbied*	*For or Against*
Ian McPherson	Agenda Item Nos 5 (a) (b) & (c)	For the application
	Plans List Nos 3 & 7	For the application
Julie Martin	Agenda Item Nos 5 (a) (b) & (c)	For and Against the application
	Plans List Nos 3 & 7	For the application
Yvonne Peacock	Plans List No 3	
Neil Swain	Plans List No 7	For the application
Caroline Thornton-Berry	Plans List No 7	For the application

At the request of several Members, Item 7 was brought forward for consideration at the beginning of the meeting, (in private session) prior to Part Two of the agenda.

The following item was considered in private

69/18 URGENT LATE ITEM – REFERENCE BACK ITEMS
(a) Shoemaker Barn, Grinton, Ref No: R/03/132
(b) Mike Barn, Lanacer Lane, Ref No: R/56/491
(c) Pike Hill Barn, Ashes, Hawes Ref No: R/56/490

CONSIDERED – the report of the Solicitor.

RESOLVED -

That the report be noted.

Public session resumed

70/18 REFERENCE BACK: FULL PLANNING PERMISSION FOR DEMOLITION OF AGRICULTURAL BUILDING AND CONVERSION OF EXISTING BARN TO FORM 1 NO. LOCAL OCCUPANCY DWELLING/SHORT TERM HOLIDAY LET, INSTALLATION OF PACKAGE TREATMENT PLANT AND ERECTION OF NEW AGRICULTURAL BUILDING, SHOEMAKER BARN, GRINTON, (APPLICATION REF. R/03/132)

CONSIDERED – the report of the Head of Development Management.

The Head of Development Management advised Members of Officers' concerns with regard to the reasons given by Members for approval of the application at a previous meeting of this Committee.

RESOLVED -

That after an unsuccessful proposal that the application be approved contrary to policy and/or the officer's recommendation, the application be refused in accordance with the following Planning Officer's recommendation:

It is recommended that the application is refused for the reasons based on the following:

1) In the opinion of the Local Planning Authority the proposal does not amount to the conversion of a traditional building that is worthy of conservation in it is own right or for its contribution to the landscape. As such no tangible conservation benefit would be achieved by the proposed new building

works which would result in the creation of a faux barn-like modern dwelling in a prominent position within the Swaledale and Arkengarthdale Barns and Walls Conservation Area. This would result in a harmful and disruptive effect on the character, appearance, integrity and understanding of the historic landscape to the detriment of the heritage significance of the Conservation Area. The proposal is therefore contrary to policies L1, L2, SP1 and SP2 of the Yorkshire Dales Local Plan (2015-2030), paragraph 172 and Section 16 of the National Planning Policy Framework (2018) and the first statutory purpose of the National Park S.5 (1) National Parks and Access to Countryside Act 1949).

2) In the opinion of the Local Planning Authority the proposed creation of a new dwelling in the open countryside is contrary to the housing strategy of the Yorkshire Dales Local Plan 2015-2030 which aims to safeguard the character of the open countryside by preventing housing development outside of settlements except where it is essential for workers in agriculture, forestry or other rural based enterprises. The proposal does not demonstrate that the functional need of agriculture, or some other essential rural based enterprise, requires that a full time worker must live at the location proposed. As such the proposal is contrary to the first Statutory Purpose of the National Park (S.5 (1) National Parks and Access to Countryside Act 1949), policies SP1, SP2, and C3 of the Yorkshire Dales National Park Local Plan 2015-2030 and the guidance contained in the National Planning Policy Framework (particularly para. 172).

3) In the opinion of the Local Planning Authority the proposal would lead to the construction a large agricultural building without an existing justified need that would detract from the natural beauty of the National Park landscape and form the character and appearance of the Swaledale and Arkengarthdale Barns and Walls Conservation Area. As such the proposal is contrary to policies BE2, L1, SP2 and SP4 of the Yorkshire Dales Local Plan (2015-2030), paragraph 172 and Section 16 of the National Planning Policy Framework (2018) and the first statutory purpose of the National Park S.5 (1) National Parks and Access to Countryside Act 1949).

[John Blackie requested that his votes for approval and against the resolution be recorded.]

71/18 REFERENCE BACK: FULL PLANNING PERMISSION FOR CONVERSION OF TRADITIONAL STONE BARN TO 1NO. LOCAL OCCUPANCY DWELLING, MIKE BARN, LANACAR LANE, APPERSETT, (APPLICATION REF. R/56/491)

CONSIDERED – the report of the Head of Development Management.

The Head of Development Management advised Members of Officers' concerns with regard to the reasons given by Members for approval of the application at a previous meeting of this Committee.

RESOLVED -

That after an unsuccessful proposal that the application be approved contrary to policy and/or the officer's recommendation, the application be refused in accordance with the following Planning Officer's recommendation:

It is recommended that permission be refused for reasons based on the following:

1. In the opinion of the Local Planning Authority the proposed conversion of the existing barn to form a continuously occupied dwellinghouse with associated alteration, curtilage, vehicular parking area, overhead lines and other works would, by virtue of these works and the prominent isolated location of the barn, be harmful to the character and appearance of the barn (an undesignated heritage asset) and have an adverse impact on the landscape character and visual quality of Widdale. The proposal is not sustainable development and is contrary to policies SP1, SP2, L1, L2, L3 and SP4 of the adopted Yorkshire Dales Local Plan (2015 - 2030) and the guidance contained in the adopted Yorkshire Dales Design Guide. Furthermore the proposal would conflict with the statutory purpose of the National Park to preserve and enhance the natural beauty of the Park and with the guidance at paragraphs 14, and 115 of the National Planning Policy Framework (2012).

[John Blackie requested that his votes for approval and against the resolution be recorded.]

72/18 REFERENCE BACK: FULL PLANNING PERMISSION FOR CONVERSION OF TRADITIONAL STONE BARN TO FORM HOLIDAY COTTAGE OR LOCAL OCCUPANCY DWELLING, PIKE HILL BARN, ASHES, HAWES, (APPLICATION REF. R/56/490).

CONSIDERED – the report of the Head of Development Management.

The Head of Development Management advised Members of Officers' concerns with regard to the reasons given by Members for approval of the application at a previous meeting of this Committee. Members were also advised that a letter had been received from the applicant stating that he wished to amend the application to include local occupancy and/or holiday let use.

RESOLVED -

That after an unsuccessful proposal that the application be approved contrary to policy and/or the officer's recommendation, the application be refused in accordance with the following Planning Officer's recommendation:
It is recommended that permission be refused for reasons based on the following:

1. In the opinion of the Local Planning Authority the proposed conversion of the existing barn to form a holiday cottage with associated alterations, creation of a curtilage, vehicular parking area, overhead lines and other works would, by virtue of these works and the prominent isolated location of the barn, be harmful to the character and appearance of the barn (an undesignated heritage asset) and have an adverse and intrusive impact on the landscape character and visual quality of the area. The proposal is not sustainable development for the purposes of the National Planning Policy Framework (NPPF) and is contrary to policies SP1, SP2, SP4, L1, L2 and L3 of the adopted Yorkshire Dales Local Plan (2015 - 2030) and the guidance contained in the adopted Yorkshire Dales Design Guide. Furthermore the proposal would conflict with the statutory purpose of the National Park to preserve and enhance the natural beauty of the Park and with the guidance at paragraphs 14, and 115 of the National Planning Policy Framework (2012).

[John Blackie requested that his votes for approval and against the resolution be recorded.]

73/18 APPLICATIONS FOR PLANNING PERMISSION

The following members of the public addressed the meeting on the Plans List item indicated:

Schedule No.	***Reference***	***Location***	***Speaker***
02	R/49/40E	West Shaw Cote Farm, Low Abbotside	Jo Holton (applicant) **or** Stephen Graves
04	C/23/67K	Swinden Quarry, Cracoe	Richard Muir (Parish Council representative) Stephen Barker (applicant)
05 & 06	C/65/21H & J/LB	Tithe Barn, Stirton	Heather Longbottom (Parish Council representative) Peter Longbottom (against) Clive Armstrong (applicant)
07	C/71/157P	Ellis Laithe, Grisedale Gate Farm, Threshfield	Frank Kitching (applicant)

CONSIDERED – the report of the Head of Development Management, listing applications for planning permission, the recommendations thereon, together with late consultations reports circulated after the despatch of the agenda but prior to the meeting.

Application [Plans List No – Application No - Proposal] and Decision
Note: These decisions are recorded in the order in which they appeared in the Schedule of Planning Applications NOT the order in which they were considered by the Committee.
Application: List No 01: R/27/129B; Full planning permission for siting of children's playhouse (retrospective), Ashley House, Hudswell. **Decision**: That permission be granted subject to conditions: -submitted plans and drawings -that the walls are painted a visually recessive colour within 2 months -that it is removed when no longer required for use as a children's playhouse.
Application: List No 02: R/49/40E; Full planning permission for change of use of agricultural land to a glamping site for 7 yurts and associated washrooms to be situated on the land for 7 months of the year, associated landscaping and walling and installation of package treatment plant, West Shaw Cote Farm, Low Abbotside. **Decision**: That the application be approved on the basis that, in the judgement of members the proposed development would not detract from the natural beauty and landscape quality of the National Park. The proposed development is capable of being well screened and not visible from the nearby highways subject to further landscape planting and as such complies with the adopted Yorkshire Dales Local Plan (2015-2030), in particular with policy T3. Authority to grant full planning permission is delegated to the Head of Development subject to the submission and approval of a landscape planting scheme and subject to appropriate conditions. As the proposal was to approve the application contrary to policy and/or the officers' recommendation, the following named vote was taken: <u>For the motion to approve the application:</u> John Blackie, Chris Clark, Julie Hutton, Allen Kirkbride, Carl Lis, Jocelyn Manners-Armstrong, Julie Martin, Ian McPherson, Ian Mitchell, William Patterson, Yvonne Peacock, Neil Swain, Caroline Thornton-Berry, Cosima Towneley and Richard Welch. <u>Against the motion to approve the application:</u> None. The Head of Development Management advised Members that, in accordance with the Members' Code for the Exercise of Development Control, he considered that the issues raised by the proposed decision did not necessitate a referral of the determination and therefore it would not be necessary to refer the decision back to a future meeting.
Application: List No 03: R/49/61; full planning permission for conversion of a detached stone barn into a four bedroom dwelling for local occupancy, Barn off Long Shaw, Bainbridge **Decision**: That consideration of the application be deferred to allow the applicant to submit further information in support of the proposal.

Application [Plans List No – Application No - Proposal] and Decision

Application: List No 04: C/23/67K; full planning permission for proposed deepening of Swinden Quarry by 50 metres from the currently permitted extraction depth of 95 metres AOD down to 45 metres AOD and extension of the approved period for the winning and working of Carboniferous Limestone from the end of 2030 to the end of 2039, with restoration to be completed by the end of 2041, Swinden Quarry, Cracoe.

Decision: That subject to the completion of a s106 legal agreement covering:

- Provision of a scheme for funding off-site biodiversity enhancement and environmental compensation measures

- No quarrying operations or sale or export of mineral from Swinden Quarry after 31st December 2039.

- Road transport from Swinden Quarry to be limited to the following totals in each calendar year:
0.8mt in 2019
0.55mt from 2020 to the end of 2024
0.4mt from 2025 to the end of 2029
0.25mt from 2030 to the end of 2039
- The provision each month of a record of road and rail shipments from the quarry.

- The continuation of the Water and Ecology Monitoring Scheme, updated to reflect the current monitoring programme, with a Monitoring Committee to oversee the scheme.

- The provision of funding for Yorkshire Water to provide a mains water supply to Cracoe, Rylstone and outlying properties near Swinden Quarry considered at risk from de-watering of the quarry, with an agreed timetable for the implementation of the works.

- The extension of the existing provisions for independent arbitration in respect of any dispute on water and ecological monitoring matters to any dispute relating to water supply, subsidence or blasting vibration. The provision of insurance adequate to cover any remedial works resulting from any adverse impacts of quarrying.

- The updating and continuation of the Swinden Restoration and Management Scheme for a period until 10 years after the lake has reached its final level.
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- Use of the Swinden Quarry site after restoration for the purposes of agriculture and/or nature conservation only.

- Maintenance of the drainage system for the waste tip, including the borehole for gravity drainage beneath the waste tip until the pH of the water has reduced to an acceptable level (level to be agreed in consultation with the Environment Agency).
- A long-term scheme for monitoring pH levels in the lake as it forms. Maximum pH level and mitigation measures in event that this is exceeded to be agreed with the Environment Agency.

- The establishment of new public rights of way at the site.
- The retention of the provisions in the existing S106 agreement relating to the Threshfield Quarry site.

On completion of the agreement that PLANNING PERMISSION BE GRANTED subject to conditions covering the following matters:

1. Standard time limit for commencement.
2. Quarrying, processing, sales and export of mineral to cease by 31 December 2039.
3. Removal of plant and machinery and restoration of the site (except for the deep lake area)

Application [Plans List No – Application No - Proposal] and Decision

by 31 December 2041.
4. Development to be in accordance with the application details and the Environmental Statement.
5. No quarrying below 45m AOD.
6. Maintenance of the processing plant and rail loading structures coloured dark grey.
7. Submission of an annual scheme of working, restoration, waste handling, landscaping and planting.
8. Hours for HGVs entering or leaving the site limited to;
06.30 to 17.00 Mondays to Fridays.
No HGV traffic on Saturdays or Sundays
9. Hours for quarrying and operating the processing plant (excluding rail loading) limited to:
06.00 to 19.00 Mondays to Fridays
06.00 to 13.00 Saturdays.
10. Hours for blasting limited to:
10.00 to 16.00 Mondays to Fridays.
11. Ground vibration levels not to exceed a peak particle velocity of 6mm/second at any residential premises. All blasts to be monitored.
12. Noise level limits at residential properties – levels as in the existing permission.
13. Control of the type of reversing warning device used on vehicles.
14. No import of rock or aggregate into the quarry.
15. No import of materials for disposal or restoration works.
16. Sheeting or covering of all road vehicles.
17. Planning permission required for any additional plant or buildings.
18. Maintenance of wheel cleaning facilities.
19. Repair and maintenance of stone walls and fences.
20. Control of use of rock breaking equipment
21. Submission of details of methods to reduce the impact of lighting at the site.
22. Submission of details of dust control measures
23. Submission of details for dealing with waste materials encountered in the existing quarry waste tip.
24. Submission of details of topsoil handling and storage.
25. Submission of details of construction of the lake outfall.

Application: List No 05: C/65/21H; full planning permission for erection of enclosure to house bio-mass boiler and fuel, Tithe Barn, Stirton.

Decision: That the application be approved subject to conditions to include the following:

- Standard Time Limit
- Amended plans
- Materials to be as identified on plans
- No external lighting on the building

AND

- That the building and associated technology be removed and the site restored to its former condition should it cease to be operational.

Application: List No 06: C/65/21J/LB: Listed building consent for erection of enclosure to house bio-mass boiler and fuel, Tithe Barn, Stirton.

Decision: That Listed Building Consent be granted subject to conditions to include the following:

- Standard Time Limit
- Amended plans
- Materials to be as identified on plans

Application [Plans List No – Application No - Proposal] and Decision
- No external lighting on the building
Application: List No 07: C/71/157P: full planning permission for conversion of barn to a rural workers dwelling, with single storey extension, Ellis Laithe, Grisedale Gate Farm, Threshfield. **Decision**: That consideration of the application be deferred to allow time for the applicant to provide financial evidence regarding the contribution to the business made by the holiday cottages on site and also to consider alternative options for providing an agricultural worker's dwelling.