



Sutton-in-Craven Parish Council

Minutes of the Annual Meeting of Sutton-in-Craven Parish Council held in the Community Centre, North Street at 6.45pm on Monday 9th May 2016

Present

Cllr. Morrell - Chair, Cllr. Bretan – Vice Chair, Cllr. Hart, Cllr. Marchant, Cllr. Joy, Cllr Hawkins, Cllr. Smith, Cllr Parsons.
In Attendance: Mrs D Emmott - Clerk, five members of the public.

49/05/2016 Election of Chairman

Nominations were requested for the Office of Chairman.
Cllr. Morrell was proposed by Cllr. Bretan
There were no further nominations for this office and Cllr. Morrell was duly elected.

50/05/2016 Election of Vice Chairman

Nominations were requested for the Office of Vice-Chairman
Cllr. Bretan was proposed by Cllr. Morrell
There were no further nominations for this office and Cllr. Bretan was duly elected.

51/05/2016 Declarations of Acceptance of Office of newly-elected councillors.

Cllr. Morrell signed a Declaration of Acceptance of Office of the Chairman. Cllr. Bretan signed A Declaration of Acceptance of Office of the Vice-Chair.

52/05/2016 To confirm dates for forthcoming meetings.

Meetings will continue to be the first Monday in the month except on Bank Holidays then it will be the second.

53/05/2016 Appointment of Chairman/members of Committee's & Appointment of representatives to outside bodies

Finance: signatories – Cllr. Smith and Cllr. Hawkins
Village Hall Committee- to be advised.
Planning – Cllr. Hart
Craven Branch Yorkshire Local Councils Association – Cllr. Bretan, Cllr. Hawkins

54/05/2016 Apologies and Declarations of Member's Interest in Matters on the Agenda

Apologies - Cllr. Green. Declarations of Interest: Cllr. Bretan – planning application 66/2016/16851, Cllr. Marchant – planning application 66/2016/16745.

55/05/2016 Minutes of the Previous Meeting

It was **resolved** that the minutes of the Council Meeting held on Monday 4th April 2016 (circulated to all members) were agreed as a correct record and signed by the Chairman. Proposed Cllr. Marchant, seconded Cllr. Bretan.

56/05/2016 Public Participation

Blue Badge Holders

Blue badge holders are abusing the double lines by the Church.
Cllr. Morrell will bring the matter to Cllr. Barrett attention.

Craven Local Plan

A resident attended the drop in surgery at Glusburn Institute on the 26th April.
He reported that some of the questions he put forward could not be answered due lack of local knowledge.

The resident queried the Yorkshire Housing site which has not been included on the draft plan (due to flooding). The field above has been included and the resident informed that if the Yorkshire Housing site flooded then it would stand to reason the field above would flood also.

Cononley has a Railway Station and has been allocated 2 houses per year yet Sutton has been allocated 5 houses per year with no Railway Station?

Another resident brought up the lack of consultation of the Local Plan and noted that the closing date for comments was Thursday 17th May 2016 this is in fact a Tuesday.

There are currently 32 homes with approval for Sutton – over 6 years' worth of housing.

Chairman Signature _____

Date _____

Planning Ref No.	Site Location	Description of Proposal	Comments
66/2016/16803	Land Off Manor Way	Installation of Steel Storage Unit	Supported Application Storage for sandbags
66/2016/16820	Sutton Baptist Chapel, Holme Lane	Single Storey Extension	No adverse comments
66/2016/16814	1 Ellers Road	Proposed Porch and Alterations to Form Elevation (Resubmission of Refused Application Referenced 66/20116/16583)	No adverse comments
66/2016/16851	Hazel Dene, The Acres	Construction of Detached Workshop, Store and Garage	Concerns that there is no information on workshop use. Business use in a residential area.
66/2016/16745	Land off Main Street	Outing Application with All Matters Reserved for Construction of 22 New Houses and Associated Access and Landscaping (Resubmission of Refused Application 66/2015/15334)	Recommend Refusal please see note 1.

Note 1.

The Parish Council are of the firm opinion that the harm caused by this proposal outweighs any potential benefits. The application site forms a natural and important break between the villages of Sutton-in-Craven in North Yorkshire and Eastburn in West Yorkshire.

Objection to the Planning Application 66/2016/16745 submitted on behalf of Sutton-in-Craven Parish Council Prepared by Alison Roland Town Planners Ltd.

This objection sets out the Parish Council's concerns to the development. The application is a resubmission of 66/2015/15334 for the erection of 50 houses, which was dismissed on appeal on 1 December 2015.

It is salient to analyse the Inspector's findings in respect of that appeal in the first instance, as the current submission relates essentially to the same, albeit a smaller part of that site. The Inspector identified at that time that the main issue was whether the proposal amounted to a sustainable form of development, with particular reference to the character and appearance of the area.

As the appeal site lay outside the defined settlement limits, submissions on behalf of the Parish Council at that time expressed concern over the landscape impact on this prominent hillside and the diminution in the extent of separation between the villages of Sutton and Eastburn. The Inspector clearly concluded that the site lay within the open countryside (para 6), despite the fact that it adjoined built development in Sutton.

He also stressed the role of the planning system in promoting the aspirations of the National Planning Policy Framework (the Framework) "to protect and enhance the natural and built environment, ...recognising the intrinsic character and beauty of the countryside" (para 11). The Inspector dismissed submissions by the appellant that the site had no specific landscape designation and concluded that "the proposed dwellings and access roads would take up a considerable amount of the site, intensifying the urban form and significantly reducing its openness" (para 12). He also went on to concur with my submissions at that time, namely "that the gap between the built up areas of Sutton and Eastburn would be **substantially eroded**" (para 13.) (my emphasis)

He concluded at paragraph 14: "In my judgement the **clear visual intrusion into the gap**, when viewed from Sutton Lane, would result in a **substantial diminution to the graduated sense of arrival** at Sutton from Eastburn, significantly reduce the sense of open rurality and separation when moving between the two settlements. **Substantial harm would be caused to the attractive landscape character and setting of the area as a result**" (my emphasis).

The conclusions of the Inspector in that appeal in relation to landscape impact and erosion of the gap between the two settlements are unequivocal. This was not a case which he considered was finely balanced, for example due to its proximity to Sutton village boundary. The use of the words *clear visual intrusion* and *substantial harm* render it indisputable that the harm identified was significant and overriding.

The appellant maintains in the Planning Statement accompanying the current submission, that the site is well related to the built up areas and that as such, the proposal represents a sustainable form of development. It is further maintained that the proposal would represent a natural extension of the built up area... and the overall pattern of settlement and open landscape would not be adversely altered. The Inspectors' conclusions in relation to the previous appeal clearly discredit those assertions.

Chairman Signature _____

Date _____

Whilst the extent of development now proposed is considerably less than the previous scheme for 50 dwellings, the fact remains that it would project out beyond the current Easterly margin of Sutton as clearly defined by the houses on Wilson Street, in an ungainly and incongruous fashion. Merely because the houses across the opposite side of Main Street extend further to the East than Wilson Street, is not a basis for arguing that the extent of development on the southern side of that street should be replicated. Indeed, the Inspector's comment at paragraph 12 of his appeal decision that the Corn Mill Walk road defines the end of the built form *on the opposite side of Sutton Lane* makes that abundantly clear.

There are very many villages throughout Craven District, and indeed nationally, where the built form of a village extends further along one side of the street than the other. Indeed, such irregular, organic built form, adds to the charm of individual villages and avoids the regimented blocks of development that are commonly associated with new settlements or, as proposed here, the insensitive extensions of existing ones.

The proposed estate would project out from Wilson Street in a suburban fashion, effectively amounting to an artificially square form to the development, totally alien and poorly executed in relation to its position at the very edge of the settlement. The effect would be exacerbated by its very tight urban grain, with the houses very closely spaced, occupying very small plots and with the frontages of the houses dominated by hard surfaced car parking. This would be completely unsympathetic to its soft, rural fringe location. Whilst the application is made in outline, the indicative layout is a material consideration to be taken into account.

In effect, the developer has attempted to compensate for the reduction of site area by shoehorning as many dwellings as possible into a more confined space. The fact the site area would not extend as far up the hillside as the previous scheme would not outweigh this visual intrusion and incongruity.

The National Planning Policy Framework (the Framework) stresses the importance of good design. Paragraph 58 highlights the importance (4th Bullet point) of responding to local character and history and reflect the identity of local surroundings. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Furthermore, the suburban layout proposed would harmfully intrude into views of and the setting of Nos 1 and 2 Main Street which are Grade II Listed. In this respect, the Council should ensure that it has advertised the development as one affecting the setting of a Listed Building, (as well as a departure from the Development Plan), which from the information on the Council's website does not appear to be the case.

It is self-evident that a modern estate of suburban character, together with a new access point with the required visibility splays, will fundamentally erode the historic setting of this listed building. It will also create a more formal appearance to Sutton Lane, which presently has the appearance of a country lane, despite the fact that it carries substantial traffic at peak times.

The applicant's submissions also stress that the Council are unable to demonstrate a five-year deliverable supply of housing. However, this matter was also put to the Inspector in the previous appeal and at paragraph 15 he accepts that there was potentially at that time, a shortfall, as a worst case scenario. Nonetheless, it is clear that matter did not trump the substantial harm to landscape character and the setting of the village that he had identified.

The current position in relation to housing land supply is merely one matter to weigh in the overall planning balance. Equally, the rejection of the previous scheme at appeal on this site is a further material factor; arguably carrying appreciably greater weight, as it is a recent decision and expressly took into account the appellant's submissions at that time that there was not a five year supply of housing.

I would refer the Council to the appeal decision at Crosshills Road, Cononley (AP/C2708/W/15/3132932. Although that appeal concerned development in the context of the Cononley Conservation Area, the Inspector identified that character and appearance of the broader area was the main issue. At paragraph 24 of that Decision the Inspector acknowledges that the Council were unable to demonstrate a 5 year supply of housing. Nonetheless, the Inspector goes on to conclude that "*this would not outweigh the harm I have identified*".

The conclusion reached in this appeal, together with that reached by the Inspector in the appeal on the site the subject of this particular application, both make it plain that the absence of a five-year deliverable supply of housing cannot in its own right outweigh harm identified to the character and appearance of the area. Moreover, there are no other benefits, public or otherwise advanced in favour of the proposal.

Whilst in the absence of a five-year supply Paragraph 14 of the Framework presumes in favour of sustainable development, the concept of sustainable development includes as one of its essential core elements, an environmental protection role. A development which fails to preserve the character or appearance of the area cannot intrinsically comply with this requirement and therefore there is no presumption in its favour. The Inspector in the previous appeal concluded that the adverse impacts to the character and appearance of the countryside would **significantly and demonstrably outweigh any benefits (including the contribution to housing supply), when assessed against the Policies of the Framework as a whole.** The same conclusion applies to the current proposal.

Chairman Signature _____

Date _____

I am further reinforced in this conclusion by the findings of the Inspector in the attached appeal decision Appeal Ref: APP/L3245/A/14/2220992: Erection of 22 dwellings on land at Worthen, Shropshire SY5 9H. The Inspector is clear in paragraphs 19 to 21 of his decision:

“The Framework is clear that the environmental role of sustainability includes protecting and enhancing the natural environment. The appeal site is deeper than neighbouring residential sites on this side of the road and it projects significantly into the surrounding countryside. Whilst acknowledging that the layout and appearance of the scheme is not before me, I am not satisfied that the size and shape of the site would allow a development that respected the linear character of this part of the village. The proposal for up to 25 dwellings would result in an urbanisation of this area of countryside which would be harmful to its intrinsic character and beauty. Further harm would be caused to the attractive landscape setting of the village that I observed on my site visit.

In light of my findings, I conclude that the scheme would not protect, restore, conserve and enhance the natural and built environment.” Whilst there would be economic and social benefits associated with the proposal, the Framework is clear at paragraph 8 that the 3 roles of sustainability should not be undertaken in isolation, because they are mutually dependent. Given that I have found that the proposal would conflict with the environmental role, I conclude that the proposal would not result in sustainable development.”

The appeal was consequently dismissed, despite the shortfall in housing supply. Whilst each case is determined on its own merits, this appeal is further evidence that a development which harms the character or appearance of the area cannot amount to sustainable development and therefore there is no presumption in its favour, whatever the situation in relation to the housing land supply in the area.

The inclusion of the “semi natural” open space in the centre of the development might perhaps be touted as a benefit of the proposed development, but this must be counterbalanced with the loss of openness and habitat consequent upon the development of the remainder of the site (a factor acknowledged at paragraph 10 in the previous appeal; *“In any case, benefits in terms of diversity must be offset by the amount of increased activity and amount of development”*

The applicant further submits that the inclusion of the site as a potential site in the Craven Local Plan Preferred Sites for Consultation (Ref: SC040). Clearly, as an embryonic document, this carries little weight at present and it remains to be seen whether the identification of this particular site will remain following further consultation and appraisal of the relative merits of the various sites put forward.

Essentially then, the Council’s concerns are similar to those submitted in relation to the previous application for 50 dwellings, namely; erosion of the gap between Eastburn and Sutton; harm to the setting of the village and landscape character; and harm to the setting of the Listed Buildings across the opposite side of the road. Those concerns (with the exception of the latter) are strongly reinforced by the conclusions of the Inspector in relation to the recent appeal at this site.

For these reasons, the Parish Council are opposed to the application in the strongest possible terms and would urge Craven District Council to refuse planning permission. In the event the Council determine to approve the application, the Parish Council request that a footpath be provided along Sutton Lane.

58/05/2016 North Yorkshire County Council Report

None

59/05/2016 Craven District Council Report

Cllr. Morrell has attended some General Meetings. These meeting involved accepting policy by committee.

60/05/2016 Clerks Report & Correspondence

- a) Email to Craven District Council with planning application comments.
- b) Letter of thanks to donator of a defibrillator for the park. The donator wishes to remain anonymous.
- c) Pot hole on Sutton Lane by Cricket Field reported to Highways.
- d) Letter received from a resident with regard to the concrete shelter being made into storage for the football club. An explanation was forwarded and notice that the council is monitoring the situation.
- e) Bushcraft Courses
Richard Mcvoy from Keighley and Haworth Forest Club commenced their bushcraft session for Boys’ Brigade on Saturday 23rd April another was held on the 31st April further dates will be forwarded in due course.
- f) The Well, Eilers Road. The silt trap has now been cleaned and the pipe is running.
- i) The beacon at Crag Nook Delph was lit by the Park Keeper at 7.45pm on the 21st April 2016.

Chairman Signature _____

Date _____

1. Local Plan

Consultation on a pre-publication draft of the Craven Local Plan 5th April 2016 – 17th May 2016.

A working party meeting was held and comments were prepared (circulated).

It was **resolved** that the comments be submitted to Craven District Council.

2. Park / Pavilion Report

2.1 Trailer – (pictures circulated)

The park keepers trailer is no longer fit for purpose (pictures circulated). The park keeper would like permission to purchase another trailer. Quotations obtained:

Ripon Farm Services: (1.5 Ton) £2,500 + VAT, P.V. Dobson & Sons: (1.5 Ton) £2,500 + VAT, Bob Wild Machinery: (1.25 Ton) £1,635 + VAT, Bob wild Machinery: (2.25 Tone) £1,985 + VAT.

It was **resolved** that the quote of £1,635 + Vat be accepted.

2.2 Ability Swing

The inclusion of an ability swing was discussed for the park.

It was **resolved** that further information be sought.

2.3 Garden for Community Schools

The Park Keeper and clerk met with teachers and pupils of Sutton C of E School, Community Primary and Glusburn Primary school to discuss their request for a small plot of land for a community garden. A small plot of land at the top of the park behind the bus shelter was proposed. All thought this suitable. Details of management and maintenance were discussed and the schools will draw up a plan of what the garden will contain and how it will be managed.

2.4 Playing Field

A meeting was held with the Chairman of Sutton Football Club in relation to the park playing field.

The Chairman discussed the points with the football committee and the following was reported back:

“From a consensus view of the SJFC management committee we consider the pitches to be suitable for our teams. There have been occasions where the pitches have been unplayable, but we consider this to be due to the adverse weather conditions at the time of play.”

2.5 C of E School – Queens Birthday Celebrations

A request from the Parent and Pupil Council, Sutton-in-Craven C of E School to hold an afternoon tea party in the park on Friday 13th May 2016 for their 90th birthday celebrations for the Queen (the area around the boating lake and small playing field to be used).

It was **resolved** the request be granted.

2.6

Community Primary School – Race for Life

A request from the Community Primary School to hold a Race for Life in the park on the 13th May 2016 (the large playing field will be used).

It was **resolved** the request be granted.

3. Review of Craven District Council’s recycling bring sites

Following the decision of Policy Committee on the 1st March Craven District Council has decided to undertake a review of recycling ‘bring sites’. There are currently 24 ‘bring sites’ across the district on council or parish-owned land, and another 94 sites on campsites, schools or trade premises.

The ‘bring sites’ were introduced in the 1970’s as a solution to recycling at a time when residents did not have access to kerbside recycling. However, Craven District Council conclude the need for ‘bring sites’ has diminished since the introduction of alternate weekly collections in February 2010, giving all Craven residents direct access to a doorstep recycling service. There is also evidence that bring sites are being used by businesses who should be paying for the collection of recycling materials.

From the 1st April 2016 Craven District Council is facing significant charges for recycling commercial cardboard which will result in adverse impact of £55/tonne to the Council. The Council have estimated that the amount of commercial cardboard collected from bring sites is approximately 750 tonnes/annum. Therefore, this represents a loss to the Council of approximately £41,000 p.a.

As part of the aforementioned review CDC are undertaking a public Consultation seeking views of the public on the retention or otherwise of ‘bring sites’. The consultation will finish on the 24th June 2016.

Chairman Signature _____

Date _____

4. Craven District Council's Planning Decisions

Date of Valid Application	Site Location	Description of Proposal	Date Decision Issued	Decision
14/02/2016	3 Hall Way	Construction of 2-Storey Rear Extension	05/04/2016	Granted
09/03/2016	11 Rosemount Court	Replace Original Porch with Larger Utility	23/04/2016	Granted
14/03/2016	16 Meadow Lea	Dormer Extension to Front of Bungalow	25/04/2016	Granted
31/03/2016	3 Holly Bank, Bent Lane	Non-Material Amendment Application for Previously Approved Application (66/2015/16412) Reduction on Size of Extension	22/04/2016	Granted
18/03/2016	4 Sutton Court	Retrospective Application for Replacement of Window and Patio Door	22/04/2016	Granted

5. Consultation on Craven District Council's Statement of Licensing Policy Licensing Act 2003

You can view a copy of the draft policy on the Council's website and make comment. The consultation period ends of Thursday 30th June 2016.

61/05/2016 Members Reports from Meetings and Community Reports

Bus Shelter, Holme Lane

Cllr. Marchant reported that the bus shelter seat has been vandalised. It was resolved that the seat be removed.

Hedge, The Acres

Cllr. Bretan reported that Muir Housing maintenance men have only cut the hedge half way along and the rest has been left. It was **resolved** to write to Muir Housing enquiring when the rest will be cut.

62/05/2016 Annual Return

The 2015/16 years Accounts have been reconciled and inspected by the Internal Auditor and the section of the Annual Return completed.

- 1) To agree that the Annual Accounts and Associated Documents be approved – circulated
Bank Reconciliation, Balance sheets, Income & Expenditure sheets, Working Document, Reconciliation between box 7 and Box 8, Explanation of Variances, Annual Return and the Asset Register were circulated to members prior to the meeting.
Resolved: 2015/16 accounts approved and adopted.
- 2) To review the effectiveness of the system off Internal control 2015/16
Resolved: That the effectiveness of the system of internal control and statement of Internal control be approved and adopted.
- 3) To approve the Annual Governance Statement 2015/16
The Annual Governance Statement was read and copies circulated to members.
Resolved: That the Annual Governance Statement be approved and adopted. Signed and dated by the Chairman and the Clerk (Responsible Financial Officer (RFO)).
- 4) To consider and approve the Accounting Statements 2015/16
Resolved: That the Accounting Statements 2015/16 be approved and adopted. Signed and dated by the Chairman.
- 5) **Resolved:** The Annual Return and accompanying documents to be submitted to the External Auditors, PKF LittleJohn for approval.

63/05/2016 Finance

To authorise payments in accordance with the budget and note receipts

It was **resolved** to authorise payments orders and transfers listed in the report. Receipts noted.

64/05/2016 Future Agenda Items

Wells – Cricket Field/Sutton Lane and Ellers Road, Crag Nook Delph, Environment Agency

65/05/2016 Date and Time of Next Meeting

The Meeting closed at 7.40pm. The next meeting of the Council will be on the 6th June at 6.45pm.

Chairman Signature _____

Date _____