

Austwick Parish Council
Meeting 5 2019-2020 – Monday 14th October 2019
Minutes

Present: Cllrs Peter Goold (Chairman), Barbara Tibbatts, Ian Smith and Sarah Wiltshire

In attendance: Parish Clerk Marijke Hill and four members of the public.

The Parish Council allocated a reasonable period of time at the start of the meeting to allow registered electors the opportunity to ask questions and / or make statements that relate to the work of the Council.

Public Participation:

Mrs Gwen Cleverly asked the Council if it would consider to investigate the possibility of requesting that a disabled parking space be created in the centre of the village. The Council agreed to make enquiries to find contact details from the relevant Authority, so that Councillors can discuss this matter, and report back to the Council in due course.

The four members of the public all participated at item 5.6a.2: planning application for development of land off Pant Lane.

Mr Lardner participated at item 5.7b: Street Market Committee's request to use the village greens.

5.1 Apologies for absence: Cllr David Dewhirst had tendered his apologies.

5.2 Code of Conduct and Declaration of Interests

- a. Councillors did not record any Disclosable Pecuniary Interests (DPI) or other interests in relation to items on this Agenda.
- b. No requests were made for dispensation in connection with items on this Agenda.

5.3 Police, District and County Councillors' and YDNPA Reports:

PCSO Grace had sent a written police report, containing 10 incidents, for the period between 30th August and the 10th October, notably one attempted burglary on Main Street. There were no reports from the District Councillors, the County Councillor and the YDNPA.

5.4 Minutes of the Parish Council Meeting 4 2019-2020 (2nd September 2019)

The Council **resolved** that the minutes of the Parish Council Meeting held on 2nd September 2019 should be confirmed and signed by the Chairman, Cllr Goold, as a true and accurate record.

5.5 Matters from previous meetings not otherwise included on the Agenda

No matters from previous meetings not otherwise included on the Agenda were reported.

5.6 Planning

a. Applications

1. C/04/695 householder planning permission for erection of two storey extension to east elevation, and replacement detached garage, The Cottage, Townhead Lane, Austwick. The Council **agreed** to inform YDNPA that it has no comments to make.
2. C/04/148M full planning permission for erection of 8 No. dwellings and creation of new vehicular access to site at Land off Pant Lane, Austwick
The Council **agreed** to inform YDNPA that it has a number of serious reservations to make, notably on the absence of affordable housing and local occupancy restrictions; design features, including architectural design and renewable energy, car parking, site access and traffic movement, surface water drainage, hard surfaces, dry stone boundary walls, location of any fuel oil storage tanks; and the need for planning consent conditions to govern the construction period. The Parish Council's full comments are attached to these Minutes.

b. Decisions

1. C/04/91C full planning permission for use of garage as an annexe to main dwelling; alteration of doors; insertion of new opening and construction of stone chimney stack, Garage at

- Limestoneber, Austwick. **Not yet decided.**
2. CL339 proposal to erect temporary fencing on The Allotment (West Riding), Austwick: Section 38 of the Commons Act 2006. **not yet decided.**
 3. CL247 proposal for installation of peat bunds for restoration of the raised bog; installation of viewing platform and boardwalk; and construction of 3 mitigation ponds for great crested newts on Swarth Moor Common: Section 38 of the Commons Act 2006. **Not yet decided.**
 4. C/04/605E householder planning permission for conversion of existing door opening to a window on the north elevation, and insertion of door opening to the south elevation (part retrospective) Lylestone, Hall Close, Austwick. **Approved conditionally.**
 5. Amended decision minute 1.6b2 regarding C/04/692 full planning permission for conversion of detached stone storage building to form a one bedroom local occupancy dwelling or holiday let, Little Barn, Fleet House, Wharfe. **Approved Section 106.**
 6. Planning Appeal - APP/C9499/W/19/3224518 C/04/643C and Planning Appeal: APP/C9499/Y/19/3224505 - C/04/643D/LB full planning permission and listed building consent for alterations to, and extension of single storey wing, Harden House, Austwick. **Not yet decided**
 7. YDNPA: a 2m crown reduction of the lower branches of one Horse Chestnut (T2) and the reduction of one limb, by 6m, from a further Horse Chestnut (T3), Pant Lane, Austwick. **Consent granted.**
- c. Additional and other planning matters
No additional or other planning matters were received.

5.7 Parish matters other than maintenance

- a. to receive an update regarding dog fouling signs; a list of persistent dog fouling areas; and requested replacement waste bin at Tommy Bank Barn, Wharfe Road
Regarding dog fouling signs, the Parish Council **noted** the reply from the CDC Environmental Health Officer, Mr Wayne Gray, that there are no metal signs available at the moment and that the 'direction to nearest bin' signs are with the CDC Design department. The Council **decided** to discuss this issue further at the next Parish Council meeting as well as preparing a list of persistent dog fouling areas. The Council **agreed** that Cllr Dewhirst should instruct CDC to repair the waste bin at Tommy Bank Barn on Wharfe Road as soon as possible and request a number of plastic warning signs and sign holders.
- b. to consider request by Austwick Street Market Committee to use the village greens on 25th May 2020
The Council had **received** a request from the acting chairman of the Austwick Street Market Committee, Mr Ronnie Lardner, if the Council would consider to support an application to CDC from the ASMC for a temporary road closure and to give permission to the ASMC to use the village greens on 25th May 2020. The Council **agreed** to present the Council's support letter to Mr Lardner, so that the ASMC can start the formal process.
- c. Dry Rigg & Arcow Quarry Liaison meeting with Tarmac on 24th September 2019
Cllr Tibbatts **reported** that the proposed planning application by Tarmac for an extension of site operations at Dry Rigg Quarry to 2039 has been postponed and is now expected by the Spring of 2020. This proposed planning application will include measures to contain mud within the quarry compound by wheel washing the HGVs. Tarmac will consider to use its road sweeper to assist in keeping the Helwith Bridge Road clean from mud if the Council decides to ask for this. Tarmac has assisted Horton-in-Ribblesdale Parish Council financially with setting up two CCTV cameras. The Council **agreed** to ask Cllr Tibbatts to forward to it any relevant information regarding installation of CCTV cameras from Horton PC.
- d. Hargraves and Green Educational Foundation: meeting held on 23rd September
The Chairman, Cllr Goold, **reported** that one applicant from Austwick had come forward to the Hargraves and Green Educational Foundation this year and had received a small grant.

5.8 Parish maintenance matters

- a. Helwith Bridge and Dry Rigg Quarry, a possible joint approach with Horton-in-Ribblesdale PC regarding Lorry wheel-cleaning equipment
The Council **noted** that the Chairman of Horton-in-Ribblesdale Parish Council, Cllr Martin Hanson, was unable to come to the meeting. The Council **reiterated** its decision to discuss a joint approach regarding the ongoing issue of mud on the carriageway and the proposal to write a joint letter to Tarmac for them to take action to contain mud within the quarry compound. The Council **agreed** that Cllr Wiltshire had re-invited Mr Hanson to the next Parish Council meeting on 2nd December.
- b. renewed water problem on Clapham Road
The Council was **informed** that NYCC Highways Officer Nik Goodman has investigated this renewed water problem on Clapham Road and it **noted** the Officer's response that the drain is partially blocked and an order has been raised to clear both the drain and the drain pipe. Cllr Goold **informed** the Council that recent inspections after wet weather by him and by Cllr Dewhirst appeared to indicate that the problem has now been solved.
- c. other issues relating to NYCC Highways
No other issues regarding NYCC Highways were reported.
- d. Oxenber and Wharfe Woods: outstanding maintenance issues
The Council was **informed** that the two outstanding maintenance issues in Oxenber and Wharfe Woods were not carried out on the Dales Volunteer Conservation Day. The Council **agreed** to send a further email to the Area Ranger and ask that this work remains on his programme.
- e. YDNPA Volunteer Conservation Day on 28th September
The Council was **informed** that rangers and the volunteer team have cleared an overgrown section of White Stone Lane in Wharfe on the Dales Volunteer Conservation Day. The Council **agreed** to send an email to the Area Ranger that a further considerable stretch of this Dales High Way PROW from Wharfe to the Wash Dub should require similar clearing work, as well as clearing work on Wood Lane and that all this work should be carried out in the near future.
- f. requested installation of new finger post on Dales High Way just off Wood Lane East
The Council **noted** the response from the Area Ranger that the requested installation of a new finger post at this location contravenes the YDNPA's waymarking and signage policies and is, therefore, unnecessary. The Park Authority has a legal obligation to install a fingerpost where a PROW leaves a sealed surface highway and any other waymarking depends on location and landowner's permission and signage and waymarking is not increased unnecessarily. The Council agreed that Cllr Wiltshire should provide some evidence of walkers not knowing where the route or the stiles are located.
- g. other issues relating to YDNPA.
Cllr Wiltshire **reported** that, since the resurfacing of the Austwick to Clapham bridleway adjacent to the A65 was reported as carried out in September 2018, its condition has deteriorated. The Council **decided** to ask the Area Ranger to inspect this bridleway, used by walkers, cyclists and horse riders to travel safely between the two villages and suggest any remedial action that could be taken.
- h. Graystonber Lane and Clapham Road conservation verges
The Chairman, Cllr Goold, **informed** the Council that the lengthsman has been instructed to trim down and rake off the vegetation on Graystonber Lane verge and the verge will be scarified again as a voluntary task soon after this work is completed. The Council **agreed** to assist with the planting at the village end of the verge of primroses from Mr Cleverly's own stock. Cllr Wiltshire will assist Mr Cleverly in checking the bird boxes on Graystonber Lane and Clapham Road.

- i. bus shelter guttering
The Chairman, Cllr Goold **informed** the Council that the work on the wire netting and the gutter at the bus shelter is progressing. The internal work is completed as is the front guttering. The rusted iron brackets at the rear guttering need to be replaced and this will take several hours of work. The Council **agreed** to ask the lengthsman to paint all the old iron-work in the summer of 2020.
- j. other lengthsman duties or parish maintenance matters
There were no other lengthsman duties or parish maintenance matters reported.

5.9 Finance

- a. The total balance of the HSBC current account on 30 September 2019 as £16,417.81 comprising £14,817.66 parish council monies and £1,600.15 AED funds was **noted**.
- b. Receipt of £215.11 from HMRC as VAT reclaim for Finance Year 2018-2019 was **noted**.
- c. Receipt of £6,250 from CDC as second instalment of the precept was **noted**.
- d. Cllr Smith **verified** the bank reconciliation for the 2nd quarter of the Finance Year 2019-2020 and **reported** that no issues were found.
- e. The Council **resolved** to approve payment of £30.00 to Charlotte Wilkinson for 6 weeks of bus shelter cleaning.
- f. The Council **resolved** to approve payment to Craven Garden Care of £297.36 for grass cutting on village verges; of £270.36 for grass cutting on village greens; and of £509.40 for maintenance on outlying areas; as well as payment of £163.20 for general maintenance work, all for September.
- g. The Council **reviewed** the Lengthsman Services Report – comparison of budget vs actual costs and **noted** that a total of £1,057 remains in the budget for this finance year together with £546 of unspent conservation verge grant money.
- h. The Council **resolved** to approve payment of £228.90 to the clerk for salary for September 2019 and of £69.86 for expenses for July to September 2019.
- i. The Council **noted** that there were no other financial issues reported.

5.10 To consider and approve (policy) documents

- a. The Council considered and **approved** the following two policy documents: the Records Management Policy and the Standing Orders
- b. The Council considered and **approved** the following two documents: the Fixed Assets Register with assets valued at £19,711 in September 2019 and the Parish Council meeting dates for 2020.
The Council **agreed** that all (policy) documents are published on its website.

5.11 Correspondence

The Council had not **received** items of correspondence.

5.12 Items of information

- a. The Council was **informed** that Cllrs Tibbatts and Wiltshire could not attend the YDNPA Autumn 2019 Southern Parish Forum meeting on 16th October in Grassington as previously agreed and it **agreed** that Cllr Goold will attend in their stead if he can.
- b. The Council **noted** policy consultation E-Briefing 09/19 received from NALC regarding an Independent Review Into Local Government Audit.
- c. The Council **noted** that Unit 6 of Oxenber and Wharfe Woods SSSI known as Little Wood (land parcels SD77689256 and SD77688160) are proposed to be placed under a Countryside Stewardship agreement.
- d. The Council **noted** the YLCA White Rose Update for September and October 2019.
- e. The Council **noted** information received from ARC4 regarding the YDNPA Strategic Housing Market Assessment 2019 Stakeholder Consultation.
- f. The Council **noted** that the Yorkshire Dales National Park Management Plan Annual Forum will be held on 29th November in Middleham and it **agreed** that Cllr Goold should attend.
- g. The Council **noted** information received from Rt. Hon. Julian Smith CBE MP regarding surgeries from October to December.

5.13 Date and time of the next meeting

The Council **confirmed** the date of the next Parish Council meeting as Monday 2nd December 2019 at 7.30 pm at Austwick Parish Hall.

Marijke Hill
Clerk to the Council

Attachment to APC minutes 5.1-5.13 2019-2020:

To Ms Katherine Wood, Principal Planning Officer
Yorkshire Dales National Park Authority
Yoredale, Bainbridge, North Yorkshire, DL8 3EL

16th October 2019

Dear Ms Wood,

Application no: C/04/148M
Land off Pant Lane, Austwick
Full Planning permission for erection of 8 no. dwellings and creation of new vehicular access to site

I understand that you are the case officer for the above planning application.

The application was considered at a meeting of Austwick Parish Council on 14th October. Councillors agreed that the initiative to progress this 'Housing Development Site' (as it is designated in the Authority's Local Plan) is welcome, as the availability of a number of new smaller houses could be of social and economic benefit to Austwick and may help to secure, for the longer term, the services and facilities we now have in place to support our community.

Whilst not objecting, my Councillors have serious reservations about a number of aspects of the present proposals. They request that the Authority take the following matters into account when deciding on the terms and conditions of any planning consent that may be granted:

1. Affordable housing and local occupancy restrictions

My Council fully appreciates the constraints imposed by national planning policy and by financial viability considerations that led to the adoption of Housing Policy C1 in the Authority's current Local Plan. As the present application is for "between 6 and 10 dwellings", the policy provides for the developer to make a financial contribution to the Authority thereby permitting open market housing to be built instead of providing affordable housing. It is clear from the letter dated 2nd October published on your website that the applicant wishes to do this.

My Council feels strongly that this would be a unique opportunity missed. There is only one 'housing development site' in Austwick in the Authority's Local Plan 2015 – 2030, namely this one. Policy C1 states that financial contributions paid by housing developers will be used to support affordable housing in the National Park. My Council urges the Authority to work closely with the applicant to find a basis for providing at least part of this proposed 8-dwelling development as affordable or local occupancy housing, thereby avoiding the outcome that some or all of these new houses "will inevitably be purchased for retirement or second home use" (Para 4.7, Policy C1, Local Plan). The record shows that, in the three-year period since the Authority's current Local Plan was adopted, there have been few developments of 8 or more new dwellings in Service Villages in the National Park. If the Authority wishes to demonstrate that it will use 'financial contributions' paid by developers to achieve affordable housing in the Park, then this is a prime opportunity to do so. Please use some of these resources to bring affordable housing to Austwick.

2. Design features

(a) Architectural design and renewable energy

In March 2018, the present applicant submitted plans for an imaginative mixed development of 3 and 4 bed semi-detached and terraced dwellings on this site, although this application was later withdrawn. By comparison, my Councillors believe that the present proposals lack variety in design or layout and that they represent a missed opportunity to make the optimum use of this site. A single row of 8 terraced and almost identical houses would not be an asset to our village. Local residents

have expressed the view to my councillors that the building plans are “depressing” and “lacking in any architectural merit whatsoever”. The applicant’s ‘Design and Access Statement’ makes no mention whatsoever of the Authority’s 2017 Design Guide and we submit that there is no evidence that the principles set out in section 3 (‘Housing’) and in appendix D (‘renewable energy’) have been considered in this application.

In the interests of conserving and enhancing the built environment of Austwick, we request that you require the applicant to review the plans for this development taking account of the principles laid down in these two sections of your Design Guide.

(b) Car parking

The application form indicates that 16 parking spaces will be provided. The Design and Access Statement indicates that 4 of these spaces will be provided ‘to the north of the terrace’ but the plans show five in this area and only 15 in total for the development. We request that the applicant be asked to give further attention to the number and location of parking spaces and we consider that 16 is a minimum number that should be provided.

(c) Site access and traffic movement

The application proposes two vehicle access points to the site. We consider this is both unnecessary and undesirable. The plans submitted with the previous application (C/04/148L) demonstrated that satisfactory traffic movement can be achieved using a single access point at the northern end of the site. The second (southern) access is undesirable as it is located at a particularly narrow section of Pant Lane near a bend and would be in conflict with traffic moving on the highway. In addition, this southern access would require removal of a significant part of the dry stone boundary wall. This is further discussed in paragraph (f) below.

(d) Surface water drainage

A soakaway solution for surface water drainage is proposed. The Design and Access Statement says “I would expect the risk from flooding to be very low”. However, we consider that there is a demonstrable ‘fall’ across the site towards Pant Lane resulting in existing persistent flood problems on that highway. The proposed use of hard surfaces on the development will exacerbate this problem. My Council requests the Authority to ensure that the developer specifies a surface water drainage scheme that can be demonstrated to deal adequately with this issue.

(e) Hard surfaces

The vehicle access and hard standing serving the properties is to be constructed in “tarmac and artificial stone setts” (application form) or “tarmac or concrete block paving” (design and access Statement). However, the Authority’s Development Brief for this site, published alongside the ‘Housing Development Plan’ in 2012, said “Tarmac should be avoided as a surface treatment within the site”. My Council asks that the Authority requires the applicant to provide a detailed scheme for all hard surfaces and landscaping on the site compatible with its rural location and with the requirements for adequate surface water drainage.

(f) Dry stone boundary walls

The Authority’s Development brief for the site (referred to in (d) above) correctly observes that there is “an unusually high boundary wall” between the site and the highway. This wall is a feature of the rural location and of the setting of the site on Pant Lane. The applicant’s site layout plan shows a new second site entrance and is silent concerning how much, if any, of the existing dry stone wall will remain. The Design and Access Statement says that “existing boundary walls to be lowered to n/e 1m adjacent to the new entrance” but is not explicit as to how much of the boundary wall will be lowered to this height. Given the distinctive nature of all the boundary walls of this site and the unusual scale of the boundary wall between the site and Pant Lane, my Council asks that the

applicant be required to submit a comprehensive and detailed proposal for all proposed alterations to the dry stone boundary walls.

(g) Fuel oil storage tanks

The application is silent concerning the proposed means of providing heating to the 8 dwellings. However it seems reasonable to assume that fuel oil or propane gas will need to be stored locally for this purpose. At the present time, immediately to the north of the application site and adjacent to the highway are located underground storage tanks serving other recently built houses on Pant Lane. Whenever these are being refilled, Pant Lane is entirely blocked by the tanker vehicle, which residents consider unacceptable. We ask that the applicant be required to provide details of the proposed method of fuel storage, and a solution to the 'refilling' problem that demonstrates it can be achieved without blocking the highway at any stage.

3. Planning consent conditions

Pant Lane is a narrow rural 'no through road'. A decade or so ago, it served few houses. In the last twelve years, eleven new dwellings have been built with sole access via Pant Lane, exiting onto Graystonber Lane. My Council, receiving comments from Pant Lane residents, is very concerned about the disruption and disturbance that may arise during the inevitably lengthy period of construction of the proposed development.

These concerns include:

(a) the need to maintain continuous motorised and pedestrian access along the entire length of Pant Lane at all times;

(b) the noise, dust and pollution that could occur;

(c) the environmental damage that could be caused by construction vehicles and construction work to the surface of Pant Lane, the boundary walls, grass verges and other important features of this rural location.

My Council requests that a comprehensive and detailed set of conditions accompany any planning consent, to cover the conduct of construction works and to mitigate against all aspects of possible disruption in the immediate locality.

4. Planning Officer's Report

My Councillors request that section 1 of this letter (at least) be reproduced in full in your 'Officer report and recommendation' regarding this application.

My Councillors would be willing to discuss the matters raised in this letter directly with you or any of your colleagues at any time during the progress of this planning application if this would be helpful. They can be contacted through me.

I would be grateful if you would please acknowledge receipt of this letter.

Yours sincerely

Marijke Hill
Clerk to Austwick Parish Council