

## **SEDBERGH PARISH COUNCIL – Planning Report – 14 April 2016**

The Planning Committee met on 21 March, 2016

**Present:** Cllrs. Capstick, Allan, Longlands and Atkins

**Declarations of interest:** none

### **PLANNING APPLICATIONS:**

**The Planning Committee, in the exercise of its delegated powers, has submitted the following comments to the YDNPA on behalf of the Council:**

**S/03/609** – Full permission for erection of single storey extension to side elevation at 14 Guldrey Fold, Sedbergh.  
*No objections*

**S/03/13E** – Full permission for erection of garage with attached garden room at Low Hollins Barn, Frostrow, Sedbergh  
*No objections, subject to external walls being constructed of local stone laid in the traditional manner.*

**S/03/424B** – Full permission for erection of storage building to replace two existing buildings on land adjacent to Ingmire Court, Ingmire Back Lane, Sedbergh.  
*The Council supports the application. The proposed building would improve the appearance and operation of the site and would consolidate an important local business.*

**S/03/376A** – Full permission for change of use of workshop, builder's yard, office and store to live-work unit at Abbot Holme, Millthrop, Sedbergh.  
*No objections, subject to the imposition of appropriate conditions to ensure that the proposed balance of uses is secured and that occupancy of the living accommodation is restricted to persons operating the business within the unit.*

**S/03/606** - Full planning permission for demolition of existing buildings and erection of 5 no. local occupancy dwellinghouses and a two storey commercial building containing 6no.units for B1 and A2 use at Kings Yard/Bainbridge Road, Sedbergh – Amended plans.  
*No objections, the amendments are considered an improvement on the original plans . (Note – in order to meet the consultation deadline, the amended plans were considered by members of the Planning Committee individually and this response agreed. Cllr Longlands, who had declared an interest, did not take part. The application had previously been approved by members at the February PC meeting).*

### **Application considered at the last Council meeting (for information):**

**S/03/591** - Full permission for demolition of single storey stone pavilion and erection of new multi-courts centre with associated changing facilities and hospitality suite (Sedbergh School) on land at Busk Lane, Sedbergh

For information, the attached appendix details the comments submitted to the YDNPA following consideration of the application at the last meeting.

### **Application to be considered at this meeting:**

**S/03/211E** – Full permission for creation of skateboarding park at the recreation ground, Sedbergh

*(Note – The Community Trust served formal notice of this application on the Council on 4 April. The application became available for inspection on the Authority's website on 7 April.)*

## **PLANNING DECISIONS:**

The YDNPA has advised the Council of its decisions on planning applications as follows:

**S/03/455G/LB** - Listed building consent for internal modifications to provide additional bedroom for Housemistress's accommodation at 79-83 Carus House, Main Street, Sedbergh.

*Approved with conditions.*

**S/03/605** – Full permission for erection of two storey rear and side extension at 4 Thornsbank, Sedbergh  
*Approved with conditions (amended plans submitted)*

**S/03/399A/LB** – Listed building consent for re-slating of roof at Winder Cottage, Howgill Lane, Sedbergh.  
*Approved with conditions.*

**S/03/128H** - Full permission for erection of mega pod within the existing static caravan area, change of use of land to create new camping area with parking, two tent pitches and erection of 3 family pods and facilities building at Beck House, Howgill.

*Approved with conditions*

**S/03/307D/LB** - Listed building consent to repair existing garage, remove asbestos clad roof and timbers, raise the height of garage walls by 40mm and re-roof with local slate at Low Birks, Birks Lane, Sedbergh.

*Approved with conditions*

### **Appeal decision:**

**S/03/316D** – The Clerk has circulated to members a copy of the appeal decision relating to the refusal of planning permission for the erection of a three-bedroom house in the garden of the Post Office Yard, Sedbergh. The appeal was dismissed.

In its appeal submission the Parish Council supported the YDNPA's refusal of permission on three grounds (1) harm to the appearance of the conservation area and loss of views of the fells; (2) the difficulties relating to parking and access; and (3) harm to the amenity of neighbouring properties. In his decision, the Inspector agreed only with the first of these, commenting:

*'The erosion of the openness of Post Office Yard and the introduction of a building set within a garden, which is uncharacteristic of the built form in the historic core of the town, would cause harm to this part of the Conservation Area ... I am satisfied that the development provides a sufficient level of parking and would not cause harm to highway safety or adversely impact on nearby Public Rights of Way. I am also satisfied that the design and siting of the proposed house is such that it would not cause harm to the living conditions of neighbouring occupiers ...'*

Significantly, the Inspector considered the yard to comprise an important component of the conservation area, notwithstanding the fact that it is not identified as an 'important open space' on the Local Plan proposals map – a point strongly argued by the Parish Council.

Finally, it is noticeable that the Inspector attaches no importance to the various allegations (made by the appellant's agent) relating to members of the Parish Council.

## **BALIOL SCHOOL:**

The original school building and grounds were recently sold at auction to a group known as 'Visiondale'. The Chairman of the Council had a meeting on 6 April with Julia Smith, representing the group, and was able to explain the Council's position on the possible uses or re-development of the site (as already set out in formal responses to the YDNPA Local Plan consultation).

The group is considering all viable development options at this stage, including various forms of accommodation for elderly persons and hotel uses. Julia Smith, who was a resident of Sedbergh some years ago, wishes to ensure that the use or re-development of the Baliol site contributes to the community/business well-being of the town and will be consulting widely.

### **THIRD PARTY RIGHT OF APPEAL (ON-LINE PETITION):**

Minster Parish Council (Thanet) is seeking support from all Parish Councils for its on-line petition to Government for the introduction of a right of appeal by Parish Councils against planning decisions. The deadline for signing the petition is 16 April.

A general right of appeal for third parties has been debated for many years and a number of consultation documents have been prepared. Such a radical amendment to long standing planning procedures has always been resisted by Governments and developers (primarily on the grounds that this would introduce uncertainties and delays). Proponents of such a change argue that natural justice demands that those affected by a development should be able to challenge planning decisions. There are mixed views in the planning profession.

The petition promoted by Minster Parish Council is seeking a limited third party right of appeal (for parish councils only).

The number of planning approvals made by the YDNPA contrary to the views of the Parish Council are relatively few (in the case of refusals the Council may, if so minded, support the applicant's appeal under existing arrangements).

The Council needs to decide whether or not to be a signatory to the petition.

## **APPENDIX TO PLANNING REPORT – 14 APRIL 2016**

**Application S/03/591- Full permission for demolition of single storey stone pavilion and erection of new multi-courts centre with associated changing facilities and hospitality suite at Busk Lane, Sedbergh.**

### **Comments by Sedbergh Parish Council**

This application was considered by the Parish Council at its meeting held on 10 March, 2016.

#### **Location and scale:**

Whilst the location is considered appropriate for the development of additional sporting facilities, members had differing views on the acceptability of such a large building in this essentially rural location. Before proceeding to consider matters of detail it was therefore necessary to take a vote on this fundamental issue of scale.

A majority of members were content that the building, whilst large in terms of floorspace, has been designed in a manner which would minimise its likely impact on the wider landscape and that its scale would therefore be acceptable.

#### **Parking arrangements:**

The issue of parking is a matter of great concern. Prior to the submission of the planning application the Council was consulted on this proposal by Sedbergh School (December last year) and commented as follows:

*In relation to parking, you will be aware that there is much local concern that the parking of cars and coaches on Busk Lane during sporting events is already causing obstruction of footways, difficulties for the free flow of traffic and damage to pavements and grass verges. It is noted that the draft plans provide for removable seating for 488 persons. Irrespective of other considerations, members wish to emphasise that they would expect any planning submission to be accompanied by proposals for additional parking within the School estate (particularly for coaches) and by robust management plans to accommodate vehicles associated with spectators and participants during sporting events. Should the application be approved and the development proceed, the Council considers it might well be the case that statutory measures might be necessary to control parking on Busk Lane.*

The Council considers that the proposed arrangements for car parking and the parking management plan which accompanies the application are wholly inadequate.

By way of background, your Authority should be aware of residents' serious concerns regarding the *existing* level of parking by both cars and coaches on Busk Lane when sporting events take place. Busk Lane is the main through route, particularly for larger vehicles, and it is not uncommon for cars associated with school events to be parked on both sides of the highway, effectively reducing the carriageway to single vehicle width for much of its length. Cars routinely park on the footway, on occasions making it difficult if not impossible for the passage of wheelchairs or pushchairs. Vehicles are observed to park at the junction of Busk Lane and Birks Lane and even within Birks Lane itself.

The submitted parking management plan states that 16 on-site parking spaces are to be provided as part of the development whereas the submitted plans show only 7 spaces (confirmed in the application form). Notwithstanding this apparent error, such provision is clearly inadequate to serve the proposed development which is intended to accommodate significant sporting events with a seating capacity for 488 spectators.

Such on-site parking deficiency is not addressed by the measures put forward in the management plan. The Council considers that no weight can be attached to the suggestion that herringbone parking might be introduced on Cloisters field as such a proposal does not form part of the application (and might not be acceptable on amenity or highway/pedestrian safety grounds in any event). Similarly the Council cannot assume that parking restrictions would be introduced on Busk Lane as there appears to have been no formal approach to the Highway Authority and the introduction of such restrictions must be preceded by the making of a Traffic Regulation Order and public consultation.

The great majority of residential properties on Back Lane and Loftus Hill have no parking facilities other than the highway and parking by vehicles connected with School events on these roads is a matter which already causes some annoyance to residents. The suggestion in the management plan that there is 'spare capacity' on these roads to serve the proposed development is considered unhelpful. In addition the Council is sceptical that Joss Lane car park (a walking distance of some 700m from the application site) is likely to be used in connection with the proposed sports centre.

The suggestion that 'parking marshals' and improved signage could be introduced, whilst positive proposals, are not considered workable if there is simply insufficient parking space in the environs of the site. Moreover the Council doubts that such arrangements (and the proposals for moving School vehicles around on match days) could be enforced through any planning mechanism.

The Council has some difficulty in accepting the assertion that no more than two large coaches might be expected when major events take place at the proposed sports centre. Considerably more than this number are observed when inter-school tournaments take place on the existing sports fields on Busk Lane. Coaches also park on Loftus Hill.

In summary, the Council was hoping that the application would be accompanied by parking arrangements that would not only be adequate to serve the development proposed but would also improve on the *existing* unsatisfactory arrangements. Regrettably, this is not the case and the Council fears that without the provision of additional parking within the School estate, and in the absence of highway control measures, the proposed development would introduce unacceptable inconvenience and potential danger to all highway users in the vicinity of the site. This was the unanimous view of members.

The Council would be very willing to contribute to discussions on the possible ways in which these concerns could be addressed.

### **Design and materials;**

The Council is generally content with the materials proposed but considers that particular attention should be given to the proposed type of stone to be employed. Whilst the difficulties in sourcing local stone are acknowledged, members have doubts regarding the suitability of Burlington blue-grey 'slate stone' (particularly if this included waste from dressing sheds revealing sawn faces).

The substantial extent of glazing proposed is of some concern but it is acknowledged that the introduction of timber louvres and the use of low reflective glass would ameliorate its appearance.

However, external lighting fixtures and lighting that might escape from the building remains a cause of concern and, notwithstanding the assertions in the applicant's statement, it has to be said that there are many examples of obtrusive lighting elsewhere within the school estate. This continues to be a matter of criticism by many residents.

The effectiveness of the green roof is crucial both to the design concept and the extent to which the landscape impact of the building might be minimised. The Council would wish to be re-assured that appropriate maintenance of the vegetative cover would be maintained in the long term.

Additional tree planting and other landscaping measures are considered to be of the utmost importance to soften the appearance of such a large building from both nearby public rights of way and from more distant viewpoints.

### **Community use:**

The Council notes that the application asserts the importance of the proposed facility to the local community but no detail is provided as to how this might be manifest in practical ways. (The application refers to a 'business case' prepared by the School but it is unclear whether or not this is a public document?). The Council wonders if there has been consultation with possible user groups such as Settlebeck School?

### **Conclusion:**

The Parish Council supports the further development of Sedbergh School and recognises the importance of the School being able to offer good sporting facilities. The Council is also mindful of the potential benefits to the town that could result from the School hosting major sporting events attracting large numbers of visitors.

However, for the reasons explained above in relation to parking arrangements, the Council must formally object to the application in its present form.