

CRAYKE PARISH COUNCIL

Parish Clerk, c/o Knott Lodge, Knott Lane, Easingwold, York YO61 3LX

☎: 07849 250 043

craykepc@outlook.com

www.craykepc.org.uk

Minutes of the Meeting of Crayke Parish Council held on Tuesday 3rd September 2024

24.56 Present

Councillors: L Hartley (Chair), C Merritt, N Jackson, J Jefferson, S Featherstone, J Porter, T Moverley
NYC 0
Public: 4

24.57 Apologies for absence

NYC – N Knapton

24.58 Declarations of interest - None

24.59 Previous Minutes

It was **resolved** to approve the minutes of the meeting of the Council held on 16th July 2024 as a true record.

24.60 Open Forum

No matters were raised.

24.61 Community and County Matters

It was decided to ask NY Councillor N Knapton about the County's policy and aims for EV chargers, including locally and with regard to areas of public access such as paths and walkways where cables have previously been forbidden.

24.62 Matters in hand

1. Anti-social behaviour near the school – A letter was sent to Broadacres Housing Trust and to the mayor's office, both have acknowledged receipt.
2. Recruitment of a new Clerk – The post has been advertised in the Parish News. Advertising in other publications and media will be explored if required.
3. Traffic matters
 - a. The works on Church Hill are expected complete this month.
 - b. A spring on the Green requires a pipe to direct the water to the gullies.
 - c. Safety issues on Crayke Lane: Councillor Merritt agreed to chase Highways for a response to our previous letters and emails. Action Merritt.
4. Noticeboards – NYC have awarded a grant of £650 to cover the cost of the noticeboard and it was agreed to go ahead with the purchase approved at the July meeting.
5. Village Green -
 - a. It was resolved to order a second grass cut. A scheme of tiered cutting will be developed.
 - b. A meeting with an officer from the AONB has been arranged to discuss our conservation projects and the possibility of funding to support plans for improving the

pathway on the Green.

6. Sustainable Crayke

- a. A Dark Skies event will be held on Thursday 5th September to highlight the impact of lighting within the village, both public and private, and discuss the village audit for Dark Skies. This may lead on to achieving a Dark Skies status for the village.
- b. Councillor Jefferson discussed and a proposed Energy Conservation information leaflet. And Councillors were asked to consider ways to distribute it.

24.63 Village matters

1. Defibrillators – Councillor Porter reported that defibrillator costs have risen to £77.99 plus VAT for pads and about £230 for a new battery. Cofund-raisingreed we should keep a spare set of pads as well as those attached to the defibrillators. A fund raising activity was proposed to top up the Defibrillator fund.
2. Councillor Hartley gave a report on a Heritage Planning webinar that she had attended. The notes from the session are in appendix 1.

24.64 Financial matters

- 1 It was confirmed that all the bank payments made since the last meeting up to the end of 2nd September had been properly authorised.
- 2 It was **resolved** to receive and approve the reports on:
 - the financial position at 31st August showing the balance at the bank of £10,093.01
 - the current budget position.
- 3 The following receipts and previously approved charges or payments made since the last meeting were noted:
Receipts: - None
Payments:
 - a. PC Websites, website hosting £180.00
inc. VAT £0.00 (1/8/24, 1801310)
 - b. YLCA, Planning webinar £26.30
inc. VAT £0.00 (30/7/24, INV-2509)
 - c. Per Pro Services, Internal Audit Review £100.00
inc. VAT £0.00 (7/8/24, 7/24)
- 4 It was resolved to approve the following payments:
 - a. Clerk, 1 set of Defibrillator Pads £81.18
inc. VAT £13.53 (23/8/24, INV1138389) Bought by the Clerk on behalf of the Council
- 5 Additional items circulated at the meeting – None
- 6 Council agreed the content of the letter to be sent to organisations for which the Council holds funds. Action Clerk

24.65 Planning

1. New applications
 - a. ZB24/01372/CAT – Forrester's Cottage, West Way - Application for works to a tree in a Conservation Area – it was **resolved** to confirm the response of No Objection with the comments: Council requests that the tree is replaced with a suitable large shrub or small tree It is noted that the house is currently for sale so Council recommends that the work should be done before completion
 - b. ZB24/00795/FUL - OS Field 2655 Crayke Lane - Proposed horse-riding arena, amended application – it was **resolved** to confirm the response of No Objection
 - c. ZB24/01519/FUL - The Croft Easingwold Road – it was **resolved** to make no objection and comment Council recommends that consideration is given to the Dark Skies initiative for Crayke and that the construction and design minimises light pollution from

the extension. Council also suggests that the design should minimise energy use in building.

- d. ZB24/01232/FUL - White House, West Way - Construction of Single Dwelling – it was **resolved** to object to the application with comments that are set out in Appendix 2.

2. Updates to applications:

- a. ZB24/01161/FUL - Gelder Cottage, Church Hill - Application for Installation of a car charger to rear of building – Granted
- b. ZB24/00925/LBC - Church Farm, Church Hill - Listed Building Consent to demolish dangerous roadside boundary wall and rebuild with existing bricks and new matching bricks, and concrete block inner retaining wall – Granted
- c. ZB24/01372/CAT - Forrester's Cottage West Way - Application for works to a tree in a Conservation Area - Granted

24.66 New items and correspondence to note or for decision

1. Purchase of trees and hedging plants - it was agreed to consider this at the November meeting.
2. Moving to a “. gov.uk” domain – it was agreed to discuss this at a later meeting.
3. Community Partnership meeting 7th October – two Councillors will attend
4. VE celebrations 8th Mat 2025 – it was agreed to have a beacon at the Sports Club.

Action Clerk

24.67 Items for the next agenda and for the Parish News:

1. An astronomy event
2. Climate Change Document

24.68 Next Meeting

It was confirmed that the next meeting of the Council will be on Tuesday 12th November 2024 starting at 19:30 in the Sports Club.

Appendices

1 - Notes on webinar “An Introduction to Heritage and Green Belt Issues in the Planning System”

By Andrew Towlerton MRTPI: Town planner working with YLCA and council clerks on 24th July 2024

National planning policy framework

- This is due out as a revised and updated framework and although it is likely to include some green belt items there is no indication that heritage will feature strongly.
- Heritage can relate to any structure or building including those underground.
- Protection by listing: hierarchy of listing, highest is international, then national then local with reduced protection down the hierarchy. Designated heritage sites or assets nationally recognised and listed. Non designated sites are not included on the National list but can be listed locally.
- Any planning application must demonstrate how it would impact a heritage asset, this can be on the site of the asset, adjacent or just near the asset.
- Any harmful impact is then classified, substantial harm- usually refused, less than substantial harm - need to demonstrate the need for the planned item and prove the impact is low.

Heritage assets

- Listed buildings: special architectural or historic interest (more than 100 years), more than 400,000 in England, wide and diverse in character and asset, e.g. churches, houses, gates, furrow systems etc. approx. 2% are grade I listed, top tier with most protection, then grade II* which are important and grade II special interest.
- There is no requirement for local listing, but PC can list local assets within a neighbourhood plan, and this can be purely relating to local listings and not cover other items at all.
- Listed description sets out key features of structure, highlights what's important, can include internal changes, and these would be reviewed in the event of a planning application, especially where the application impacts items listed within the description.
- Listing can be applied for through planning authority who then apply to historic England. LA has little involvement unless requested or interested apart from as conduit for the process and PC can put forward assets for listing direct or through planning. HE can also make their own listings.
- Assets can be delisted if they are stolen or deteriorate. HE decides based on an assessment which includes review of architecture, historic interest, group value, age and rarity and does not include use.
- There is no statutory right to inform PC, but once in place all planning applications are reviewed more rigorously with no or reduced permitted development, includes structures within curtilage (although definition of curtilage is varied), but usually no permission required for repair if like for like but always advise checking.
- Additional planning considerations include: importance of asset and grading, curtilage and setting, scenic impact, extent, harm and community benefits.
- Ecclesiastical exceptions: these have their own planning route and own committee for the five main religious denominations and don't need to consult PC.
- Further information:
 - <https://historicengland.org.uk/listing/the-list>
 - <https://britishlistedbuildings.co.uk/>

Enforcement:

Limited resources financially, HE has list of at-risk assets. It's a criminal offence to action without authorisation unless there is an urgent work notice issued, building preservation order or compulsory purchase to save a building, or LA can do work then charge the owner.

Conservation area:

- Special architectural or historic interest and often includes many historic buildings, and designed to preserve and enhance. More than 1000 in England and approx. 2% of the land mass. Vary greatly in character and nature include villages, railway lines, industrial sites. Designated by LPA under planning act 1990, and LA should review and consider additions or removals but there is no required frequency for these reviews, so they are rare. LA can use local plan to review and for appraisal purposes. Appraisal should be prepared but is not a requirement but would list what is distinctive or protected and lay out a management plan. It can also add ARTICLE 4 DIRECTIONS which remove some permitted development rights if appropriate. Conservation area has less implications than listing, is not a 'no go' for development but does have some specific restrictions such as felling trees.

Scheduled ancient monuments:

- National importance, can also be listed, includes things like castles or burials. It's a criminal offence to damage a scheduled ancient monument, including works without approval, and all works need approval.

World heritage sites:

- International importance designated by UNESCO.

Historic parks and gardens:

- May be part of a listing or a conservation area and required to protect and preserve the essential features, but there are no absolute barriers.

Neighbourhood plan:

- This can be used to promote heritage assets, either as a standalone or as part of a development plan. Gather evidence about current status including history and/ or uniqueness etc, highlight any need to change or restrict change and can make a local designation.

Green belt:

- This is not all green fields and is undergoing some change for most recent NPPF. Designed to prevent urban sprawl and are maintained for their openness and permanence. Statutory designated and include 12.6% England and includes York although it has been in draft for over 60yrs and never fully adopted. It should safeguard against urban sprawl, safeguard the countryside and focus development in towns, and cities.
- NPPF par 152 states inappropriate development if harmful to green belt and "applications should be refused unless there are very special circumstances", but this is outweighed by para 153 NPPF which lists what is allowable or appropriate and includes agriculture and forestry buildings, appropriate facilities such as sport or burials, extensions or alterations, replacing a building, infill in villages, affordable housing or infill to complete or redeveloped previously developed land.
- Always required to protect the openness, so applications considered inappropriate if they fail to protect the openness, such as mineral extraction, engineering, roads, renewable energy.
- There is no requirement to review the green belt, so it may be defined but not functioning or appropriate. York has had a draft and for 20-30 years its greenbelt has been defined in regional spatial strategy rather than defined and approved green belt.
- LA can review and alter as evidenced or justified, for example increasing the size of green belt removes some areas from being suitable for development so reducing a LA ability to allocate land for the required new builds requested by government. If these are included in neighbour plans and are altered, this is a big exercise and is very visible to developers so often not reviewed.

- New NPPF will impact green belt and approx. 40% of it will be considered not green anymore and this may allow development in these grey green belt zones, but if remains green belt them must retain openness.
- Possible it no longer serves the purpose because development has just leapfrogged from city across green belt and then built there. Use of the green belt could enable sustainable development due to proximity to city and reducing transport needs.

Councillor L Hartley

2 - Comments on planning application ZB24/01232/FUL, Construction of a single dwelling. White House, West Way, Crayke

The current application includes extensive documentation around a previous application and refusal and outlines why the issues raised then are no longer valid, for this reason Crayke Parish Council have reviewed the previous refusal and the current application as part of their requested consultation, comments below, NB previous application (15/02860/OUT) dated December 2015. Crayke PC recommended refusal.

We have studied in detail the current application, and at our Parish Council meeting on Tuesday 3rd September 2024 Council RESOLVED to recommend that the application is REFUSED.

Reasons for our recommendation are summarised in the following sections:

1. Grade II listed property

White House and its curtilage is grade II listed and as such has added protections assigned. The application to develop land to the rear of this property is unclear as to whether the land is within the curtilage of White House or not, in whole or part. Previous application for rear access was placed relating to White House, and planning notifications were displayed at White House on West way for this application, suggesting the house, garden and land are one plot, however there is no mention of additional consultations or advice being sought. CRAYKE Parish council request additional clarity to ensure any historic environment is fully considered and documented.

In addition, the neighbouring farmhouse and original buildings are Grade II listed, and ensuring their continued protection is also a concern.

The design and appearance of the current application is not in keeping with the historic appearance of the village, one of the reasons for the Conservation area status. Design decisions, possibly due to restrictions within the site, make the appearance an issue of concern, such as the lack of street side position, single storey building and use of secondary development. Features such as wood cladding which in some areas aligns with farm building is not a feature of housing in CRAYKE and in fact is not seen on walls of farm buildings in the village either. Roof lights have light pollution impact which is currently a topic of discussion due to vicinity of Dark sky zones championed by NYMNP, HHNL and others and therefore would be a concern.

CRAYKE PC consider the appearance, position and vicinity of historically recognised building to be reasons to reject the application.

2. Size and location of the proposed development

Claimed site area 0.9ha

Claimed property ground floor area:

The exact size of the (1 bedroom) building in the original outline proposal application (15/02860/OUT) was not given, but by measurement from the approximate scale drawings, the proposed building was around 89.6 square metres in floor area with a detached garage of approximately 44 sq. metres.

The new proposal entails a (three bedroom) building which from quoted measurements in the floor plans shows a building of approximately 180 square metres in floor area, which is just over twice the size of building, plus an additional integral garage of approximately 30 sq. metres.

The application for a single dwelling and detached garage on the same site was refused by Hambleton District Council Planning Department on a number of grounds (see Decision Notice on Application 15/02860/OUT dated 14th April 2016) some of which are reviewed below:

- The application was outside the development boundary of Crayke, but within the Conservation Area

This criterion remains unchanged

- The proposal was also considered contrary to a number of criteria relating to the character and heritage of Crayke village. As stated in the previous, refused application, this location is within the boundaries of both the Howardian Hills National Landscape and the Crayke village Conservation Area. The site is also outside of the Crayke building envelope as acknowledged in the Local Plan and the decision document for the 2015 application.

These criteria remain unchanged.

- The application proposed to place a residential property immediately adjacent to a working farm. Issues noted (particularly noise, odour and flies) are an inevitable component of mixed livestock small family farming enterprises.

These issues remain unchanged. As such it is equally inevitable that any future occupants of the proposed dwelling would be in conflict with the rightful business operations of the farm.

This objection therefore remains completely valid, indeed the newly proposed dwelling is considerably larger, more imposing and situated against the boundary with the working farm, where livestock are housed, fed and adjacent to where slurry and manure are stored.

The farm in question is one of a few remaining traditional farms within the settlement of Crayke, and as such is a matter of significant heritage and part of the traditional character of Crayke.

Crayke Parish Council recommended refusal of the previous application(15/02860/OUT), and for the reasons detailed herein Crayke Parish Council resolved to recommend the new application be refused.

The present application is similar in many aspects to the previous application, but the proposed new build dwelling is considerably larger. Therefore, in several aspects this application is regarded as even more undesirable than the previous application which Crayke Parish Council unanimously resolved to oppose.

2. Property Boundary

The accompanying document FUL-Location Plan-19062024.pdf claims to show the ownership boundary of the property. However this appears to include an area of the grass verge outside the property boundary, which is in contrast to the property boundary as shown in the previous 2016 planning application (document).

We believe the current document (FUL-Location Plan-19062024.pdf) includes land, which is either Parish land or Highways land, and therefore not under the ownership of the applicant. It may be

that a right of access exists across the verge, but Crayke Parish Council have no evidence that private ownership exists for the grass verge shown in the document. Application 2/02/034/0136D states the verge as being highways land as part of that access application.

CRAYKE Parish Council suggest review of the application to ensure clarity of ownership for all land shown within the application, and to categorise where land is owned by others and what restrictions or requirements would be needed to correctly complete the application.

3. Access

The previous (2016) refused application included proposal to "build new pavement crossover to current Highways Authority standards and specifications", clearly showing that the access to the property required construction of a pavement across the green grass verge area (Highways).

Access to the rear garden of the property 'White House' was granted under Planning Application 02/00607/ FUL, submitted in April 2002.

The decision notice (Ref Application 2/02/034/0136D dated 21 June 2002) included a number of restrictions, including:

- Any work should be begun within five years (i.e. by 2007)
- The crossing of the Highway verge shall be constructed in accordance with approved standards
- Provisions to prevent surface waters discharging onto the highway.
- A vehicle parking and turning area shall at all times be provided to ensure vehicles join the highway in a forward direction.
- "No retained tree shall be cut down, uprooted or destroyed.... without written approval of the Planning Authority..."
- "Any excavation... in the proximity of trees or shrubs, roots of 50mm or greater shall not be cut..."

Although a gate was installed, no groundwork or drainage work appears to have been undertaken, although some rough hardcore is in place in the new gateway and CRAYKE PC assume this is not to a highway's standard.

The current new application (ZB24/01232/FUL) proposes to construct an entrance across the grass verge which would threaten the nature of the verge, at least two important mature trees and involve disturbance of underground surface water drainage systems.

CRAYKE PC request more detailed information around the maintenance to the access, proposed improvements and ensuring drainage and water is managed appropriately, plus any information that proposed changes to land use could cause and how these would be managed. NB: It is the understanding of CRAYKE PC that drainage, water run-off and possible sewerage infrastructure may lie beneath the access.

In addition the previous access right given was for infrequent use, and CRAYKE PC consider that although the access would be within the 30mile per hour zone it is located on a narrow portion of road not far from a bend, so turning in from Stillington end or from the village would come with risk which would be increased due to frequency of use.

4. Trees and the Arboricultural report (FUL-Tree Report-19062024.pdf)

Whilst much comment is given in the arboricultural report concerning felling of trees and shrubs within the property boundary (chiefly ash, elder and holly), Crayke Parish Council strongly object to the proposals to fell the tree designated Tree 1 (a semi mature Maple not within the property) as well as the sycamore (Tree 4).

The maple (Tree 1) is within the grass verge outside the property and is of significant value to Crayke Parish and the community, both from aesthetic and conservation value perspective. Furthermore, it is a tree which was planted by Crayke residents at the time of the Silver Jubilee of Queen Elizabeth II in 1977.

Therefore, Crayke Parish Council objects absolutely to the proposed felling of this tree.

Similarly, the sycamore tree (Tree 4) is on the boundary of the property, and although described as "self-sown" (as are most native trees within Crayke parish), is nonetheless a mature or semi mature tree of significant visual importance in the entrance to the village. We see no justification to fell this tree. CRAYKE is a green village and wishes to ensure any loss of trees or hedges is kept to a minimum, only occurs when necessary and is always replaced to a suitable level, this is in addition to and predates the BNG requirements.

Mature trees are an asset within any community, both as habitat, carbon absorption and visually, two of these trees had TPO status until recently, due to their prominence at the entrance to the village and their maturity. Planting replacements although required and appreciated does not ensure continuation of habitat levels in the short term or add biodiversity net gain unless extensive and protected for the future.

5. Biodiversity impact and report

The original biodiversity assessment was conducted in Winter and early spring and as admitted in the report, not in the optimum time for assessing biodiversity. Subsequent updates attempted to address this. However, the descriptions of the species likely to be found or impacted do not concur with the knowledge and experiences of Crayke residents, in particular our Sustainable Crayke Group. The report quotes references from North and East Yorkshire Ecological Data Centre (NEYEDC), which, for example, cites "one record of swift, and one of tawny owl within Crayke". Some of the quoted data are clearly at odds with the known wildlife populations in Crayke. For example, our own group has been running a programme of installing swift nest boxes, and we have a large population of swifts in the village, currently an at-risk species, which benefit from the single-row housing layout in the village. Swifts benefit from a long fly zone to the rear of roadside properties and are seen mostly along the east side of the village. Tawny owls are particularly common in Crayke, as are little owls and barn owls, often seen in the fields adjacent to our single-row housing where they make full use of the variety of land, gardens to marginal to farmland.

The most crucial shortcoming of the claimed biodiversity claim is that the benefits claimed to accrue from this development come from future proposed planting of trees and shrubs in the garden of the proposed dwelling. These are presented as mitigating for the loss of trees and shrubs due to felling and construction. Mature native hedging supports significant levels of wildlife, and for this reason maintenance cutting adjacent to farmland is restricted, so reduction or removal of hedges should be minimal where possible. In addition, Crayke Parish Council object to the proposed felling of trees, especially the two important trees stated above, from both heritage and biodiversity perspectives. The Parish council undertook an ecology review within the last 10 years,

and this shows evidence of the biodiversity, Wildlife and habitat, in and around the village with particular reference to the areas between village and farmland that support many species and act as natural highways. Maintaining, protecting and improving this is a strongly held village objective which should be considered for any planned development or build.

CRAYKE PC wish to reject the proposal on the grounds that the biodiversity impact is not matched or ensured by the application.