



CRAVEN DISTRICT COUNCIL

PLANNING COMMITTEE – SITE VISIT

20th October 2021

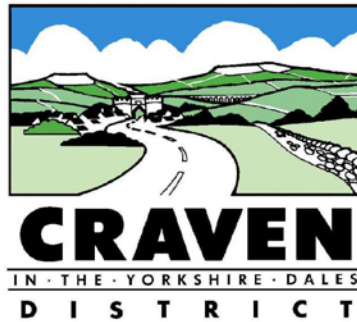
AGENDA

1. Please note that the Committee will visit the Richard Thornton's School, Burton in Lonsdale LA6 3JZ on Wednesday 20th October 2021. Members are asked to meet at the site at 10am.

Agenda Contact Officer:
Vicky Davies, Senior Democratic Services Officer
Email: vdavies@cravendc.gov.uk
15th October 2021

Planning Committee Site Visit Procedure

- A. On arrival, the Chairman will call the Members of the Planning Committee, any Ward Representative(s) and others invited to be present to order. The Chairman will explain the purpose of the site visit so that all are aware that it is a fact finding exercise only and that no decision will be taken until the Committee meeting.
 - B. The Chairman will then ask the appropriate officer to describe the proposal to Members, identify relevant features of the site, and raise the principal planning considerations. The Officer may also draw Members' attention to the relevant points regarding objections/observations received.
 - C. The Chairman will then ask any other officer, e.g. Highways Officer, Environmental Health Officer, to address the Members.
 - D. Members will then be invited through the Chairman to ask any questions or seek clarification of facts from the Officers present. Members should not direct these questions to the applicant or others present. Any matters not to hand will be reported at the Committee meeting. Discussion on the merits of the application will not be permitted, and Members should refrain from making comments on the proposal.
 - E. A representative of the Parish or Town Council or Parish Meeting will be invited to advise Members on matters of fact relating to the application site.
 - F. The applicant and others present will not be allowed to speak unless he or she is specifically asked by the Chairman or a senior officer to
 - point out particular matters on site, or
 - to clarify or respond to Member's questions in respect of particular factual matters, relevant to the site of the planning application/planning matter.
- Applicants/agents will be given prior notice of the time and date of the site visit.
- G. When the Chairman considers that the purpose of the site visit has been achieved, (s)he will declare the site visit finished and Members will promptly leave the site.
 - H. Whilst conducting the site visits Members will have due regard to the health and safety of themselves and others and will follow appropriate safety instructions on site, including any guidance on parking and access. Under no circumstances will Members or Officers enter a site without wearing the appropriate safety equipment (if any) required.
 - I. A note will be taken by the appropriate officer of those present at each site visit.
 - J. Members should be aware at all times that site visits mainly take place on privately owned land. They should be careful not to damage any property or do anything that may cause problems for or distress to the landowner.
 - K. Where arrangements have been made for a site visit to take place on land which does not form part of the specific area under consideration/application site, the appropriate officer will have sought the necessary permission from the occupier of that land in writing.



PLANNING COMMITTEE

Monday, 25th October 2021 at 1.35pm

Meeting to be held at Belle Vue Square Offices, Belle Vue Suite, Skipton

Committee Members: The Chairman (Councillor Brockbank) and Councillors Brown, Handley, Harbron, Heseltine, Lis, Morrell, Place, Pringle, Rose, Shuttleworth and Sutcliffe.

Substitute Members: Councillors Hull, Ireton, Madeley, Noland, Solloway and 1 vacancy (Independent).

Please note the following advice in advance of the meeting:

The Government temporarily removed the legal requirement for local authorities to hold meetings in person during the Covid-19 pandemic. All local authorities were given new powers to enable meetings to take place virtually. The Council's powers to hold remote meetings expires on 7 May 2021.

Whilst the return to face to face meetings provides significant challenges, the Council has undertaken a great deal of work to ensure that face to face meetings are delivered in a COVID safe environment.

Due to social distancing measures, spaces for public attendance are limited and so registration is essential to secure a place. Everyone who attends this meeting will be required to wear a face covering, unless exempt.

Council staff, elected members and members of the public are urged to take advantage of the national 'next step safely' campaign and access a free, rapid lateral flow test in advance of the meeting:

<https://www.nhs.uk/conditions/coronavirus-covid-19/testing/> Please note that whilst this is advised, it is not a requirement for entry to the meeting.

Anyone displaying Covid-19 symptoms is asked not to attend.

For more information email committees@cravendc.gov.uk

Thank you,

Democratic Services

AGENDA

Comfort Break: A formal comfort break of 15 minutes may be taken at an appropriate point in the Committee's consideration of the Schedule of Plans.

1. **Apologies for Absence and Substitutes** – To receive any apologies for absence.
2. **Confirmation of Minutes** – To confirm the minutes of the meeting held on 27th September 2021.
3. **Public Participation** – In the event that any questions/statements are received or members of the public wish to ask questions or address the Committee in respect of matters not appearing on this agenda, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Declarations should be in the form of a “**disclosable pecuniary interest**” under Appendix A to the Council's Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Schedule of Plans** – The schedule is comprised of the following:

- (a) Applications to be determined by the Committee.
- (b) Enforcement – New complaints registered / complaints closed.

If Members have any queries regarding individual applications dealt with under the Scheme of Delegation or if they have any queries regarding an enforcement matter, then please contact Neville Watson, Planning Manager (Development Management) (E-mail: nwatson@cravendc.gov.uk or telephone: (01756) 706402)

6. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.
7. **Date and Time of Next Meeting** – Monday, 22nd November 2021 at 1.35pm

Agenda Contact Officer:

Vicky Davies, Senior Democratic Services Officer

E-mail: vdavies@cravendc.gov.uk

15th October 2021

Additional Information - The circulation of materials cannot be accepted during the meeting. Any additional information has to be submitted to the Planning Case Officer in advance of the meeting by 12 noon on the last working day before the meeting date.

PLANNING COMMITTEE

27 September 2021

Present – The Chair (Councillor Brockbank) and Councillors Brown, Heseltine, Lis, Morrell, Pringle, Rose and Shuttleworth.

Officers – Legal Advisor (Kings' Chambers, Manchester), Strategic Manager for Planning and Regeneration, Planning Manager, Principal Planning Officer, Planning Officers x 2 and Democratic Services and Scrutiny Officer.

Apologies for Absence and Substitutes: Apologies for absence were received from Councillors Handley, Harbron, Place, Sutcliffe and substitute Member Councillor Ireton (sub for Handley).

Ward Representatives:

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 1 September 2021 were approved as a correct record.

Start: 1.35pm

Finish: 5.55pm

A short comfort break was taken at 3.11pm.

Duration of Meeting: In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours.

PL.1042

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

There were no declarations of interests.

b. Lobbying

Councillor Ireton was lobbied in favour and against applications 2020/22109/FUL and 2019/2126/FUL. Councillor Brown was lobbied on both application 2020/22109/FUL and 2019/2126/FUL on matters of detail.

PL.1043

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2020/22109/FUL – Mr Ian Thompson, Parish Council
Mrs Belinda Hornyold-Strickland, objector
Mr Stuart Pratt, Agent for Applicant
Councillor Stuart Handley, Ward Councillor

Application 2019/21261/FUL – Mr Will Rogers, Agent for the Applicant

PL.1044

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permissions Granted

Application ref: 2019/2126/FUL – Full planning permission for the erection of 38 residential dwellings with off street parking, green infrastructure and all associated works. Land to The South Of Brockhole View Settle BD24 9RF. Consideration of the application is deferred and delegated authority is given to the Head of Planning Services to approve the planning application conditionally subject to the conclusion of the S106 Agreement to cover the delivery of affordable housing, public open space and if necessary education facilities. Members also voted in favour of the following being added to the conditions as set out in the case officer's report:

Condition 13 – to include details of solar panels and heat exchange units.

Condition 14 – that this condition is re-worded for clarity to reflect that all dwellings on the site would provide an electric vehicle charging point.

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Approved Plans

- 2 This permission relates to the following plans:

Proposed Site Plan 8243 BOW AD XX DR A 0004 P6

Proposed Landscape Plan 1281 001E

Site Location Plan 8243-BGP-00-XX-DR-C-90.4-00101

Topographical Site Survey

TYPE A - 1 Bed Affordable Floor Plans, Elevations 8243-BOW-AA-ZZ-DR-A-0020

TYPE B - 2 Bed Affordable Floor Plans, Elevations 8243 8243-BOW-AB-ZZ-DR-A-0021

TYPE C - 3 Bed Affordable Floor Plans, Elevations 8243 8243-BOW-AC-ZZ-DR-A-0022

TYPE D - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AD-ZZ-DR-A-0023

TYPE E - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AE-ZZ-DR-A-0024

TYPE F - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AF-ZZ-DR-A-0025

TYPE G - 4 Bed Private Floor Plans, Elevations 8243 8243-BOW-AG-ZZ-DR-A-0026

TYPE H - 4 Bed Private Floor Plans, Elevations 8243 8243-BOW-AH-ZZ-DR-A-0027

TYPE I - 4 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AI-ZZ-DR-A-0028

TYPE J - 5 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AJ-ZZ-DR-A-0029

TYPE K - 5 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AK-ZZ-DR-A-0030

TYPE L + M 4 Bed Semi Barn Floor Plans, Elevations 8243 8243-BOW-ALM-ZZ-DR-A-0031

TYPE N 3 Bed Bungalow Floor Plans, Elevations 8243 8243-BOW-AN-ZZ-DR-A-0032

Proposed Site Sections 8243 8243-BOW-ZZ-XX-DR-A-0005_P1
Impermeable area plan 1 OF 2
Impermeable area plan 2 OF 2
Flood Flow Exceedance Plan
Proposed Drainage Plan 1 OF 3
Proposed Drainage Plan 2 OF 3
Proposed Drainage Plan 3 OF 3

Planning Statement Addendum dated 16.3.2020
Heritage Statement Addendum Part 1 dated 16.3.2020
Planning & Heritage Statement Addendum Part 2 dated 25.8.2021
Arboricultural survey
Design and Access Statement

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

Before you Commence Development

- 3 No development including earthworks shall take place until a suitable temporary construction surface water management plan has been submitted and approved in writing by the Local Planning Authority. Method statements and plans/drawings detailing surface water management proposals must include the following:
- a. Temporary drainage systems, including any dewatering.
 - b. Measures for managing pollution / water quality and protecting controlled waters and watercourses, including and emergency control measures.
 - c. Measures for managing any on or offsite flood risk associated with construction (If applicable)
 - d. Required consents, e.g. Land Drainage Act, Environmental Permit (If required)
 - e. Construction management, maintenance and remediation schedule.

Reason: To ensure that surface water quality and quantity is managed through construction and prevent the impact of work off site.

Informative - Land Drainage Consent and Culverted Watercourse Improvements Any works in, over, under or near an Ordinary Watercourse (outfall, retaining wall) might require Land Drainage Consent from the LLFA, North Yorkshire County Council. For example, the 'naturalisation' works on the culverted watercourse may require land drainage consent. This is to be considered separate to the planning process.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

Please note that at discharge of conditions stage, should the requirements not have been approved as part of a planning application, the applicant is exposed to the risk of being unable to discharge the relevant planning condition.

- 4 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway:

Safe access into the site

The parking of vehicles of site operatives and visitors

Loading and unloading of plant and materials

Storage of plant and materials used in constructing the development

Wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 5 There shall be no access or egress by any vehicles between the highway and the application site until vehicle wheel washing facilities have been installed on the access road to the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept in full working order at all times. All vehicles involved in the transport of waste materials or finished products to or from the site shall be thoroughly cleaned before leaving the site so that no mud or waste materials are deposited on the public highway.

Reason: In accordance with policy INF7 and in the interests of highway safety and amenity

- 6 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

b. on-site materials storage area capable of accommodating all materials required for the operation of the site.

c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with policy INF7 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 7 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of

mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal

Reason: In accordance with policy INF4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

During Building Works

- 8 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
 - the proposed highway layout including the highway boundary
 - o dimensions of any carriageway, cycleway, footway, and verges
 - o visibility splays
 - o the proposed buildings and site layout, including levels
 - o accesses and driveways
 - o drainage and sewerage system
 - o lining and signing
 - o traffic calming measures
 - o all types of surfacing (including tactiles), kerbing and edging.
 - b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - o the existing ground level
 - o the proposed road channel and centre line levels
 - o full details of surface water drainage proposals.
 - c. Full highway construction details including:
 - o typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - o when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - o kerb and edging construction details
 - o typical drainage construction details.
 - Details of the method and means of surface water disposal.
 - e. Details of all proposed street lighting.
 - f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions

for their setting out including reference dimensions to existing features.

g. Full working drawings for any structures which affect or form part of the highway network.

h. A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason: In accordance with policy INF7 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

In imposing condition numbered above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

- 9 There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Brockholes View . The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Reason: In accordance with policy INF7 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

- 10 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- a. tactile paving
- b. vehicular, cycle, and pedestrian accesses
- c. vehicular and cycle parking
- d. vehicular turning arrangements
- e. manoeuvring arrangements
- f. loading and unloading arrangements.

Reason: In accordance with policy INF7 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

- 11 No development above ground level shall take place until details of existing and finished site levels, finished floor and ridge levels of the buildings to be erected and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposed levels of the development are required prior to commencement for clarity and in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties.

- 12 No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 13 No development above ground level shall take place until an energy strategy demonstrating a reduction in carbon dioxide emissions has been submitted to and approved in writing by the Local Planning Authority. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner.

- 14 2 electric vehicle charging points (providing active electric vehicle charging provision to 4 spaces) shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions

- 15 No development above ground level details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 16 No development (excluding site clearance and demolition) shall take place until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- o Limiting discharge rates to 2.8l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- o Final modelling and calculations for all areas of the drainage system.
- o The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753, including the proposed bioretention channelling systems.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

- o A written report summarising the final strategy and highlighting any minor change to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason: The surface water drainage scheme is required prior to commencement of development in order to reduce the risk of flooding.

Before the Development is Occupied

- 17 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason: In accordance with policy INF7 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 18 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 8:

- a. have been constructed in accordance with the submitted approved drawing
- b. have been constructed in accordance with Standard Detail Number
- c. are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: In accordance with policy INF4 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at www.northyorks.gov.uk

- 19 Prior to the occupation of the dwellings hereby approved, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

Reason: In order to provide high quality communications infrastructure for future occupiers.

- 20 The development hereby approved shall not be occupied until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies has been submitted to and approved in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

- 21 Prior first occupation of the development hereby approved, whichever is the sooner; details of any remedial works to trees that are to be retained on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of any remedial works.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 22 Prior to first occupation of the development hereby approved, a schedule of landscape maintenance for a period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 23 Prior to first occupation of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs);

2) a schedule detailing sizes and numbers/densities of all proposed trees/plants;

3) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

4) the provision for bird and bat nesting boxes that accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended).

- 24 Prior to first occupation of the development hereby approved, whichever is the sooner; the vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate parking and turning is provided.

- 25 Prior to occupation a scheme for the provision of seating, litter and dog bins to be located within the approved landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details and retained thereafter unless agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of adequate facilities within the provision of green infrastructure.

Ongoing Conditions

- 26 The development hereby approved shall not be occupied until a scheme for the storage and disposal of refuse has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupiers and adjoining occupiers.

- 27 Following substantial completion of the development hereby approved, the applicant and/or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 28 The dwellings hereby approved shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or

Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided.

Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

2. Existing Public Rights of Way on the site should remain unobstructed and available for use unless and until an application (whether temporary or permanent) under Sections 247 or 257 of the Town and Country Planning Act (or any other relevant legislation) is approved to allow the diversion or stopping up of any of these routes. Approval of any such application should be confirmed prior to the carrying out of any operations that would obstruct the use of the relevant Public Rights of Way.

4. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

5. S 106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request a developer to contribute towards the impact it creates on the services. The contribution in the amount £42,660.49 sought will go towards the gap in the funding created by each potential patient from this development. The detailed explanation and calculation are provided within the attached document. Without the requested contribution, the access to adequate health services is rendered more vulnerable thereby undermining the sustainability credentials of the proposed development due to conflict with NPPF and Local Development Plan policies as explained in the attached document.

6. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

Applications Deferred

Application ref: 2020/22109/FUL – Revised description Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site. Land At Richard Thornton's School Burton In Lonsdale, LA6 3JZ. The application is deferred so clarification can be sought in relation to arrangements for fresh water supply, drainage, sewage treatment, access road and solar panels and a site visit can be arranged.

Conditions

Time Limit for Commencement

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Approved Plans

- 2 This permission relates to the following plans:

Drawing nos.

022004 05 Rev B Location Plan
02 Rev F Site Plan and Ground Floor Plan
03 Rev A Elevations
04 Rev A First Floor Plan
06 Rev A Roof Plan
Design and Access Statement
Heritage Statement
Tree Report
Public Right of Way Statement

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District Local Plan 2012 - 2032 and the National Planning Policy Framework.

Before you Commence Development

- 3 No development above ground level shall take place until details of existing and finished site levels, including the finished floor and ridge levels of the buildings to be erected, and finished external site surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposed levels of the development are required prior to commencement of above ground works for the avoidance of doubt and in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties.

- 4 Prior to their first use on site full details of all materials to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

- 5 Prior to their first use on site full details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

Before the Development is Occupied

- 6 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
 - 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs);
 - 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
 - 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
 - 5) types and dimensions of all boundary treatments
 - 6) the provision for bird and bat nesting boxes that accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.
- There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.
- Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years

of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 7 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 8 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a schedule of landscape maintenance for a period of five years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 9 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of any remedial works to trees that are to be retained on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of any remedial works.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 10 2 electric vehicle charging points (providing active electric vehicle charging provision to 4 spaces) shall be constructed and marked out and the charging points installed prior to the occupation of the development, and shall thereafter be retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032

- 11 No development above ground level shall take place until an energy strategy demonstrating a reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) has been submitted to and approved in writing by the Local Planning Authority.

Once the energy strategy is in place a certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032.

- 12 Prior to the occupation of the dwellings hereby approved, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide high quality communications infrastructure for future occupiers in accordance with policy ENV3 of the Craven Local Plan 2012 to 2032.

- 13 Prior to the occupation of the dwellings hereby permitted, a site plan showing the proposed locations of Solar PV Panels and samples of the materials to be used in the construction of the solar panel array shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved samples and retained as such thereafter.

Reason: To promote sustainability through renewable energy in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032.

Ongoing Conditions

- 14 In the event of the solar PV equipment hereby approved ceasing to produce electricity, they shall be permanently removed from the building within 3 months of the date they become redundant, and the roof covering shall be restored to match the remainder of the roof.

Reason: In the interest of the visual amenity in accordance with Policy ENV3 and ENV9 of the Craven Local Plan and the National Planning Policy Framework.

Informatives

1. The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
2. The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

3. The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.
4. The developer shall ensure that a plan is implemented in order to control dust created during the construction phase of the development. The plan shall be in line with the Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction.
The dust management plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use.
5. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

Applications Refused

None.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 19 August 2021 and 16 September 2021.

PL.1045	<u>REVIEW OF BEST PRACTICE GUIDANCE ON MAKING PLANNING DECISIONS</u>
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Vincent Haines submitted a report which summarised three recent reports relevant to the review of planning decision making procedures at Craven District Council. Members noted the content of the report and the best practice guidance.

PL.1046	<u>PLANNING DECISION MAKING PROCEDURES</u>
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Members considered and discussed in detail the opinions for change set out in the report which was due to be taken forward by Vincent Haines and presented to Policy Committee on 19 October 2021 for consideration.

PL.1047	<u>SUPPLEMENTARY PLANNING DOCUMENTS – NOTE FOR MEMBERS</u>
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Members noted the report submitted by the Interim Spatial Planning Manager which set out the Spatial Planning Team's work programme for preparing a number of Supplementary Planning Documents (SPDs) together with details of progress made on each SPD and training to be provided to the Planning Committee following adoption.

PL.1048	<u>ANY OTHER ITEMS</u>
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There were no late items of business to consider.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Chairman.



CRAVEN

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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 25th October 2021

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REPORT TO PLANNING COMMITTEE ON 25th October 2021

Application Number: 2020/22109/FUL

Proposal: Revised description Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site.

Site Address: Land At Richard Thornton's School Burton In Lonsdale, LA6 3JZ

On behalf of: Permahome Limited

Date Registered: 3rd February 2021

Expiry Date: 5th May 2021

EOT Date, if applicable:

Case Officer: Mr Mark Moore

SUMMARY

This is an application for residential development on a site that is allocated in the adopted Local Plan. The overall scale, design, visual impact, impact on heritage assets, biodiversity, site drainage and highway safety are considered to be acceptable. The development can be undertaken sustainably and would constitute re-use of previously developed land that would contribute significantly to the Council's spatial housing strategy. Accordingly, the application is recommended for approval subject to planning conditions.

1. Site Description

- 1.1 The proposed development site is located to the west of the village of Burton in Lonsdale. Burton in Lonsdale is a village and civil parish in the Craven District of North Yorkshire close to the border with Lancashire and Cumbria. The site is approximately 4383 square metres (0.43 Ha) in size and is partially previously developed land, currently occupied by part of the former school buildings and its curtilage.
- 1.2 The site shares a boundary with Richard Thornton School, a Grade II Listed Building - (as the Former Burton in Lonsdale Endowed First School: Schoolmaster's House and garden wall and gate piers) erected in 1853. The former school building occupies a prominent position, set back on elevated ground, to the west of the A687 from which it takes access.
- 1.3 The curtilage boundaries comprise stone walling to the road frontage and to the south along a track serving two properties located further to the west. Areas of hardstanding are located to the north of the building which provide former playground space and, to the south, car parking. The site area was formerly used as a play area and is currently unmanaged and overgrown. It rises gently to the north bounded by a continuous stone wall with agricultural pastureland beyond. There are a number of mature trees and hedgerows across the site.
- 1.4 The former school building is a Grade II listed building (list entry number 1301402) and the site falls within the Burton in Lonsdale Conservation Area. Several other designated heritage assets fall within proximity to the site, most notably the Castle Hill motte and bailey castle to the east and a Scheduled Monument (1009319).

- 1.5 The site has been allocated for residential development under Policies SP4, SP5 and SP11 of the adopted Local Plan (Site Ref: BU012).
2. Proposal
- 2.1 The erection of eleven dwellings with landscaping, infrastructure and parking on allocated site (Ref: BU012).
- 2.2 The application seeks permission for a mix of 6 two bed and 5 three bedroomed bedroom, two-storey dwellings laid out around a shared access linked to an existing unclassified service road connected to the main carriageway further to the east.
- 2.3 The properties are to be constructed using stone with slate roofing and are of a contemporary gable ended design. Whilst the final materials remain to be sourced the applicant has provided examples of similar builds elsewhere in the area and has confirmed that the proposed dwellings would use the same materials subject to availability.
- Officer note:** It is proposed to condition any subsequent approval to require the LPA's agreement on the final materials to be used on the site.
- 2.4 The proposals include the provision of 2 two bedroomed affordable housing units which would be offered through a shared ownership arrangement in partnership with CDC Strategic Housing.
- 2.5 The application is accompanied by a tree survey which identified a total of 32 specimens across the site of which 13 are assessed as being in poor condition and are therefore scheduled for removal. It is proposed to protect the remaining trees and to carry out appropriate replacement planting in accordance with an approved landscaping scheme.
3. Relevant Planning History
- 3.1 Part demolition of school classrooms; change of use of school building to a residential care and educational facility; alterations to access. Ref. No: 2019/20873/FUL. Approved with conditions.
- 3.2 Part demolition of school classrooms; change of use of school building to a residential care and educational facility; alterations to access. Ref. No: 2019/20874/LBC, Approved with conditions.
4. Planning Policy Background
- 4.1 **Craven Local Plan (2012-2032):**
- SD1: The Presumption in Favour of Sustainable Development
 - SP1: Meeting Housing Need
 - SP3: Housing Mix and Density
 - SP4: Spatial Strategy and Housing Growth
 - SP11: Strategy for 4A & 4B Villages with basic services and bisected villages with basic services
 - H2: Affordable Housing
 - ENV2: Heritage
 - ENV3: Good Design
 - ENV4: Biodiversity
 - ENV6: Flood Risk
 - ENV7: Land and Air Quality
 - ENV8: Water Resources, Water Quality and Groundwater
 - ENV9: Renewable & Low Carbon Energy
 - ENV12: Footpaths, Bridleways, Water Quality and Cycle Routes

INF4: Parking Provision

INF7: Sustainable Transport and Highways

4.2 **National Planning Policy Framework (as amended July 2021)**

4.3 **Planning Practice Guidance**

5. Parish/Town Council Comments

5.1 **Burton in Lonsdale Parish Council:**

There does not appear to be any additional information to the original application regarding the development of mains sewer provision for the 11 dwellings. The Parish Council has previously drawn the Planning Department's notice to this important matter, in its comments of 19th March 2021.

There has been no clarification as to the future management of the affordable housing units.

Officer note: The Council's Strategic Housing Team have advised that the affordable homes have been allocated to Craven District Council through our development partnership. This means they will be bought by the council to provide shared ownership. The properties would be essentially the same as the open market units on the site and it would be the responsibility of the co-owners to subsequently manage the affordable housing units. The Council's only involvement would be to collect rent on the share of the properties not owned by the householders.

2.4 The proposals include garaging for 9 vehicles with a further 7 parking spaces set towards the southern end of the site. In addition, there would be driveway space for a further 9 vehicles.

6. Consultations

6.1 **NYCC Highways:**

Following initial objections relating to the ownership of the existing track from which the site would take access (which is not presently in the applicants' ownership) NYCC Highways have commented as follows:

'Our policy is that a road should be adopted if there are 5 or more houses which this is. We would want the full site to be built to adoptable standard. Any ownership issues require resolving as we can only enter into a s38 if they own the land or have an agreement with the landowner. Should the road remain private and be managed by a management company a s106 agreement would be required'.

Subject to the above considerations the Highways Engineer has recommended conditions/informatives to require the following:

- i) Submission of plans of road and footway layout
- ii) Need for legal agreement to ensure works to access are of an adoptable standard
- iii) Construction of roads and footways to an adoptable standard
- iv) Construction details of roads and footways
- v) Provision/retention of access, turning and parking areas
- vi) Construction details of turning and parking areas
- vii) Provision of a Construction Management Plan

6.2 **NYCC Footpaths Officer:**

No objections but has commented that applicant should be made aware of the need to ensure that the adjoining PROW is not obstructed or, if necessary, an appropriate temporary closure order is obtained and/or an appropriate alternative route is provided.

Officer note: The full recommendations of the NYCC Footpaths Officer would be included as informatives on any subsequent planning approval.

NYCC LLFA:

In their initial response (16/3/2021) NYCC LLFA requested that additional information be sought before they could comment further.

Following the submission of additional documentation NYCC LLFA retained an objection to the scheme based on concerns over the ownership of the site access land.

The latest comments of NYCC LLFA are:

'In terms of the drainage design and the need to demonstrate in accordance with National Planning Policy Framework Paragraph 169 that the site has incorporated the use of SuDS, we confirm the proposal meets the minimum required operational standards and confirm that we have no objections on the hydraulic design of the system.'

In relation to our previous point of objection to the long-term future management of the drainage systems. It is understood that the applicant does not currently own the land where the proposed highway entrance to site is to be located, which includes elements of the proposed drainage system. Ultimately the responsibility for maintaining private drainage systems rests with the landowner as riparian owner. Therefore, in order to ensure that the drainage system can be maintained for the lifetime of the development, the land ownership issues must be resolved for any condition to be enforceable and reasonable. We understand from our discussions that the legal agreement will require the developer to obtain ownership of this land before construction can proceed. Once the land in question is within the ownership of the applicant, the LLFA would then be satisfied that the proposed maintenance arrangements would be achievable, reasonable and could be enforced via condition.'

On the basis of the developer entering into a legal agreement with the LPA, the LLFA is willing to overturn its position and no longer has an objection to the proposed development. We recommend that a pre-commencement condition is applied to any permission granted, requiring the details of the maintenance to be submitted and approved by the LPA. The applicant should be made aware of the risk that if the requirements of NYCC in relation to long term maintenance cannot be met at the discharge of condition stage, the applicant is at risk of not being able to discharge the condition.'

The NYCC LLFA conclude by recommending a condition to address long-term maintenance of the drainage at the site.

CDC Strategic Housing:

The applicant has submitted a planning application for 11 homes of which 2 are proposed as affordable.

As per the previous consultation the buildings are deemed as vacant and so vacant building credit (VBC) can be applied to this scheme.

The calculation for VBC is set out in the Draft Affordable Housing SPD February 2021. Policy H2 in the draft Affordable Housing SPD February 2021, states that in rural areas, which Burton in Lonsdale is classified as, on sites of greater than 10 dwellings or 1000sqm that on-site affordable housing contributions are required. This site provides for 11 homes and 1083 sqm of accommodation and so on-site affordable housing is necessary.

Taking into account that VBC applies to this site and utilising the calculation set out in the SPD, Strategic Housing can accept the applicants offer of 2 affordable homes for on-site provision. Furthermore the 2 x 70sqm affordable homes that are being provided and their location on the site meet the requirements of the SHMA and are acceptable.

Strategic housing has no objections to this application.

- 6.4 **CDC Environmental Health:**
- There are no contamination issues associated with the site. Recommendations made for conditions relating to the control of noise and dust, use of clean topsoil and provision of electric vehicle charging points.
- 6.5 **CDC Sports Development Officer:**
- The planning gain in respect of POS contributions has been re-calculated since the initial application to reflect the reduction in the number of dwellings from 11 to 12.
- Based on the 2021 INF3 calculator the offsite contribution for this development is J39,006. Following consultation with ward members and Lonsdale Parish Council the SDO has identified a number of projects to which the contribution is to be distributed. In particular the Parish Council have several projects which have been proposed by residents and which Sn106 contributions are sought. The identified projects have been cross referenced with the evidence base (PPS Open Spaces and Built Facilities Strategies) to identify those with the best strategic fit.
- The proposed allocation of the J39,006 is:
- J788.00 towards Settle Swimming Pool
 - J5,200 towards Burton in Lonsdale Parish Sports Pavilion
 - J10,485 towards Burton in Lonsdale Parish Children's Equipped Play
 - J11,385 towards Burton in Lonsdale Parish sports pitches and MUGA
 - J11,147 towards general amenity space in the Parish of Burton in Lonsdale
- 6.6 **CDC Trees Officer:**
- No objections subject to appropriate tree protection measures.
- 6.7 **United Utilities:**
- 'In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.*
- The drawing of Drainage Strategy, ref: 20568 DR-C-0100 revision P1 dated 28 Jan 2021, does not show that the outfalls of cellular soakaway and treated foul water sewer. Therefore, the drainage statement is required to confirm the above for our assessment'.*
- UU conclude by recommending conditions to address details of the means by which foul and surface water will be dealt with.
- 6.8 **Historic England:**
- Have advised that they do not wish to comment on the application.
7. Representations
- 7.1 The application was advertised by way of a site notice posted on 12/3/2021 and by a press notice on 26/2/2021.
- 7.2 Neighbour notification letters were posted on 26/2/2021
- 7.3 A total of 12 representations were received which are summarised as follows:
- o Quality of design

- o Effect of development of nearby buildings and heritage assets.
- o Reduction in affordable housing units
- o Layout
- o Mains sewer arrangement needs clarification
- o No foul water scheme attached to the submitted drawings.
- o Delivery of building materials.
- o Location of works site compound
- o Construction traffic
- o Drains not shown on the submitted drawings.
- o Drainage and water supply infrastructure.
- o The proposed access is hazardous and compromises road safety.
- o Deficient ecological survey.
- o Contribution to car usage.
- o Lack of parking
- o Means off access is inappropriate.
- o Use of access may cause damage to properties.
- o Overlooking
- o Right to light

8. Summary of Principal Planning Issues

8.1 Principle of development

8.2 Affordable Housing

8.3 Design quality and the effect on the development on the character and appearance of the area

8.4 Heritage Assets

8.5 Access & Highway Matters

8.6 SUDs

8.7 Biodiversity

9 Analysis:

Principle:

9.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework (NPPF).

9.2 The NPPF requires that Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and that decision makers should approve applications for sustainable development where possible. The presumption in favour of sustainable development is the 'golden-thread' running through the national framework. Decision making should not simply be about scrutiny but instead function as creative exercise in finding ways to enhance and improve the places in which people live their lives.

- 9.3 Delivering growth on sites allocated for development under Policies SP4, SP5 and SP11 is one of the aims of the adopted local plan. Moreover, maximising the optimum use of previously developed land and the promotion of residential land uses is also supported in this policy context as is securing effective land use in meeting the need for homes. Indeed, adopted Local Plan policy SP4 supports compatible land uses within specified locations whilst the site (Ref BUO12) is recognised as such in policy SP11 of the Local Plan.
- 9.4 Para 59 of the NPPF sets out the objective of significantly boosting the supply of homes and the recent relaxation of permitted development restrictions shows the Government's clear intent to maximise the use of appropriate land and buildings to increase housing-stock. Local Plan policy SP1 seeks to provide at least 4,600 dwellings over the plan period and the realisation of this application would contribute towards this goal.
- 9.5 Para 8 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental, whereas Para 11 of the NPPF refers to a presumption in favour of sustainable development. This means approving development proposals that accord with the development plan by granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.6 The growth and expansion of the nearby village of Burton-In-Lonsdale has resulted in a pattern of increasing intensification of development with incremental increases in the size and scale of its buildings. The changes that have taken place in and around the village centre and its immediate surroundings over the past 70 or so years show an increasing proliferation of buildings of considerable presence in line with ever changing housing trends. The site is located at the western end of the village and is currently not being used to its full potential, being partially developed yet vacant and it consequently makes little contribution to the urban grain of the village and its surroundings save for, in part, perhaps reinforcing the open character of the surrounding countryside. The site is nonetheless recognised as previously developed land for planning purposes. The planning gain offered by realisation of the proposal would be significant in comparison to how the land functions presently and, it is clear that the site could, and should, be used more intensively and more effectively.
- 9.7 Para 118 of the NPPF promotes the development of under-utilised land. Small sites such as the application site can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. Notwithstanding, the site has been specifically allocated for housing development in the adopted Local Plan. Local and national policies seek to maximise the opportunities for regeneration that take a positive approach to sustainable development and the Council will work proactively with developers to resolve issues that improve the economic, social and environmental conditions in the area. For development to be considered sustainable it must demonstrate the core principles of sustainable development.
- 9.8 The nearby village centre offers a range of local services supported by local infrastructure. In relation to Para 8 of the NPPF; the proposal would contribute to building a strong, responsive and competitive economy through the creation of construction jobs during the life of the build as well as the on-going contribution to the local economy from the creation of 11 additional households. The proposal would also contribute towards providing the supply of housing required to meet the needs of present and future generations (including affordable housing) and has the potential to create a high-quality built environment both on and off-site through contributions through the section 106 mechanism.
- 9.9 Local Plan Policy SP3 relates to housing mix and density whereby new housing development will ensure that land is used in an effective and efficient manner to address local housing need. 32 dwellings per hectare is the general guide for achieving an appropriate overall housing density across the plan area across all tenures, most housing should be 3 bedroomed. The Proposal therefore generally accords with the requirements of LP Policy SP3 in terms of density and bedroom provision.
- 9.10 The socio-economic and environmental objectives that make a development sustainable, in terms of supporting growth by increasing the number of good-quality, well designed homes and making

the best use of land, is clearly defined in the application. In principle, the proposal is acceptable for residential development because it seeks to optimise the use of land identified for housing through the local plan process, utilising a brownfield site by developing 11 new dwellings of an appropriate density and housing mix in place of an underused site.

Affordable housing:

- 9.11 Policy H2 of the Local Plan addresses the provision of affordable housing and, according to the 2017 Strategic Housing Market Assessment (SHMA) Craven's net affordable housing imbalance over the life of the Local Plan is 126 dwellings per annum and future affordable housing provision should be approximately 15%-25% intermediate tenure, and 75%-85% affordable rented, with 87.4% one and two bedroom dwellings and 12.6% three (or more).
- 9.12 The site is of a size and is in a location requiring 25% of new dwellings to be affordable homes. The wording of Policy H2 makes it clear that the affordable housing provision should be in line with the requirements of this policy, although lower levels of provision may be acceptable in certain circumstances. The proposal is to re-develop this previously developed site to construct 11 dwellings.
- 9.13 Policy H2 is consistent with the Framework which, amongst other things, addresses the provision of affordable housing as part of boosting the supply of housing and requiring policies with cost implications, such as Policy H2, to be formulated to take account of viability. Policy H2 allows for a scheme's affordable housing level to be reviewed if viability is an issue.
- 9.14 In a Written Ministerial Statement (WMS) of 28 November 2014 the Government introduced the vacant building credit (VBC), which, when applicable, allows locally derived levels of affordable housing to be reduced. The VBC was introduced with the intention of incentivising the redevelopment of vacant buildings and was introduced by the Government '*... to tackle the disproportionate burden of developer contributions on small-scale developers, custom and self-builders*'. The WMS states that the VBC is '*A financial credit, equivalent to the existing gross floorspace of any vacant buildings brought back into any lawful use or demolished for re-development*' it further states that the VBC '*should be deducted from the calculation of any affordable housing contributions sought from redevelopment schemes*'.
- 9.15 Planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise and Policy H2 is therefore the starting point for determination of the affordable housing aspects of this application. Policy H2 allows development proposals that seek to provide a lower level of affordable housing contribution where it can be justified and states that the local planning authority will apply VBC in all appropriate circumstances. In full consideration of the matter, officers are of the view that the VBC has been correctly applied in this case and that realisation of the application would be the most expedient means of incentivising this site's redevelopment.
- 9.16 This proposal will provide 2 affordable dwellings which, taking the VBC into account, is compliant with the Local Plan. The specific requirement for affordable housing has been calculated in accordance with the Local Plan and the 2017 update to the SHMA. The developer has entered into discussion with the Council in order to agree the terms of a related Sn106 legal agreement.

Design quality and the effect on the development on the character and appearance of the area

- 9.17 Local Plan policy ENV3 sets out the Council's general urban design principles and, amongst other things, states that proposals should be based on a contextual appreciation of environmental features and preserve local character and distinctiveness.
- 9.18 Local Plan policy ENV1 supports development proposals that, amongst other things, conserves and enhances local landscape character by positively responding to their surroundings.
- 9.19 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of

place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Local Plan policy sets out that development should be well connected to and integrated with the wider settlement with height, massing, layout, appearance and landscape that makes an appropriate visual relationship with that of the form, grain, scale, materials and details of the surrounding area, whilst not necessarily replicating local characteristics. These qualities are echoed in the design provisions of the NPPF.

- 9.20 One of the core planning principles of national policy as set out in the NPPF is always to secure high-quality design. The Council places emphasis on new buildings to be of the highest architectural quality. The NPPF also outlines that planning decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the short term, but over the lifetime of the development. It additionally recognises that considerations regarding the appearance and the architecture of individual buildings should go beyond aesthetics and consider the connections between people and places and the integration of new development into the natural, built and historic environment. Local and national design policies advise that planning permission for new development will be refused if it causes material harm to the character of the surrounding area, including the street scene, overlooking, noise or disturbance to occupants of neighbouring dwellings, overshadowing or over-dominance, traffic danger or congestion.
- 9.21 Character can be defined as individual distinctiveness created from a combination of natural and built elements with historic, socio-economic factors. An understanding of the villages' current character is essential to directing and shaping future development in a sensitive and appropriate manner. It is considered in this case that the proposed development would represent a logical distribution of height and scale across the site.
- 9.22 The applicant has drawn from the architectural cues seen in neighbouring houses and incorporated them into the design of the proposal whilst managing to create something unique. Both local and national policy states that the applicant should not feel bound by the prevalence of an architectural style. This is especially relevant given the variance of the wider context vernacular when looking beyond the building in the High Street. The houses will be constructed with a mix of render and stone with stone or grey slate roofs. The principal elevations of the proposed housing would be constructed using stone.
- Officer note:** It is common practice to condition the materials to ensure that agreement is reached as to the most appropriate prior to their use on site. The applicant has stated that it is intended to use materials that have been found elsewhere on similar developments subject to availability once construction on site has commenced.
- 9.23 The density of the proposed housing, their comparatively generous plots and the separation distances between the proposed buildings serves to contribute to the spacious character of the street scene. Accordingly, the overall scale and appearance of the proposal would generally reflect the existing form and character of existing development elsewhere in the village.
- 9.24 The layout of the proposal is more uniform than that of the nearby streets; however, the site size constraints have a part to play in this. Notwithstanding, the more formal layout does not conflict so sharply with the existing spatial characteristics of the area to warrant a refusal on that basis. The Government and the Council attaches great importance to the design of the built environment. Para 59 of the NPPF advises that new development should take account of the overall scale, density, massing, height, landscape, layout and materials of new development in relation to neighbouring buildings and the local area more generally. In this case, for the reasons set out above, the overall design and appearance of the development would contribute towards local distinctiveness. Moreover, the applicant will be bound by a condition to provide a more detailed material palette prior to the use of external materials on the site to ensure that the scheme correlates with the prevailing character of the village.

- 9.25 The site suffers somewhat due a more modest public transport accessibility level which, to some degree, restricts the density of the proposed housing scheme and ultimately the number of units offered. Development should not be parking-led but the final scheme may have a higher reliance on parking-provision by virtue of its location unless and, in part, to the size and types of dwellings on the site. The layout of the proposal has somewhat been dictated by the size, shape and orientation of the plot, in addition to its relationship to the existing built form. However, care has been taken to maximize the potential of the land directly affected by these constraints which is discussed later in the report.
- 9.26 The purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development is key to tackling the linked challenges of climate change, resource use, economic prosperity and social well-being and cannot be achieved without sustainable buildings. Local Plan policy ENV3 states that sustainability should be designed in so that development takes all reasonable opportunities to reduce energy use.
- 9.27 The Council will promote the highest standards of sustainable design and construction throughout the district. This can be achieved by requiring all new residential developments to achieve national technical standards. Developers should explore the potential to implement water recycling measures on a building or site-wide scale to significantly reduce mains water demand as part of all new development. Developers should strive to deliver infrastructure to reduce mains water consumption to the equivalent requirements of Building Regulations unless these strategies can be proven technically unsuitable or commercially unviable. These aspirations can be secured by way of planning condition in order that they can be fully explored post permission.
- 9.28 It is important to recognise that Building Regulations, covers a significantly wide range of sustainability issues. Parts G and L of the Building Regulations address water efficiency and energy use respectively. The national technical standards incorporate these and also addresses other important sustainability issues such as materials, waste, health and well-being, ecology, and management of both the construction process and the completed building. Concerns have been raised by third parties regarding these issue in general and, more specifically, water efficiency. However, there should be an appreciation that there are many regulatory frameworks outside of the planning system (such as Building Control) that will need to be complied with during the construction of the development. Whilst compliance is expected with all these regimes, matters outside of the planning purview are not material to the decision-making process and therefore will not weigh against the acceptability of the development, in planning terms. Notwithstanding, the developer has been working collaboratively with NYCC LLFA to achieve the best scheme possible to deal with this aspect of the development.
- 9.29 The government has implemented a Universal Service Obligation, giving every household and business the right to request a broadband connection of at least 10 Mbps. Providing superfast broadband in new developments will provide further benefits and opportunities in terms of sustainability. It is proposed to condition any subsequent planning approval to ensure that adequate broadband provision is available at the site.

Accessibility/Location of Development

- 9.30 Burton in Lonsdale has a village hall, a church, a shop and a public house. Use of more comprehensive day-to-day facilities other than those present in the village would necessitate occupants of the proposed development travelling in order to meet most of their day to-day needs. The footways that serves the site link to the village and they are in generally good condition and therefore provide a realistic and attractive alternative for most people to shop for provisions or use the facilities within the village. The surface is wide and sound enough to accommodate those with mobility limitations who still felt able to use the footway. Notwithstanding the relatively short distance to the village centre the car would likely be the preferred mode of transport relied upon for access to other services and facilities which are some distance away. As a result, the site does not exhibit strong credentials in respect of accessibility to services on foot. Notwithstanding, this would not necessarily render the routes identified unattractive for most day-to-day trips by pedestrians or cyclists. However, given these factors and the distances involved, the routes would not form

realistic options for occupants of the proposed development to walk or cycle at all times of the year and not in the hours of darkness or in inclement weather.

- 9.31 There is a bus service in the village with the bus stops located close to the proposed site. However, the bus service does not run in the early morning and is a limited service in terms of frequency and scope. This presents clear limitations for access to services and facilities and would not necessarily be convenient for school children, commuters or people wishing to access day-to-day amenities. The frequency of the service would limit the convenience with which day-to-day needs could be met.
- 9.32 Para 78 of the NPPF states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may support services in a village nearby. However, the site's location adjacent to a village with only a very small number of facilities of its own limits the potential for the proposed housing to carry any health, social benefits, or convenience for future occupants. Residents are therefore likely to be car dependant to meet some of their needs. However, the somewhat limited accessibility by sustainable modes does, overall, not weigh against the proposal or make it an entirely unsustainable location for development. It should also be noted that this is an allocated site which remains a significant material consideration in the overall assessment of the application.

Living conditions

- 9.33 The proposed rear garden areas of dwellings 10 & 11 would be restricted in depth and there would be a relatively close relationship between their rear elements and the principal elevations of dwellings 7, 8 & 9 at the north eastern part of the site. However, there would be a screen fence, landscaping and an intervening highway that would prevent overlooking between the ground floor habitable windows of any facing elevations between dwellings 7, 8 & 9 and 10 & 11. The separation distance in tandem with screening would make it difficult to see into the rear of the house or to the areas of land closest to the dwelling. A planning condition in respect of tree planting in the appropriate location would mitigate against harmful overlooking or loss of privacy for the occupiers of this neighbouring property. The trees would have to be significant specimens with good crown cover and distribution. The presence of any existing intervening vegetation that obscures views into the neighbouring property will not normally be enough on its own since they can too easily be removed or die. Accordingly, a comprehensive landscaping scheme (including the planting of the trees) will be forthcoming prior to any above ground works taking place and its presence secured thereafter by way of planning condition.
- 9.34 The issue of overlooking and how this has the potential to affect users of other nearby buildings has also been considered. There should be an appreciation that a certain amount of overlooking would be inevitable when buildings occupy the arrangement as proposed. However, it is the significance of the overlooking effect that is the main question for the decision maker to consider. The oblique angle of view and the presence of a landscaping scheme would prevent any significant overlooking between the upper windows of the proposed dwellings and any private areas of the surrounding buildings. Moreover, given the existing projections of the surrounding properties and their respective locations in tandem with the separation distances and the mass and bulk of the proposal when viewed from neighbouring windows would be limited, and would not cause a significant overshadowing effect. Also, having regard to the sun's trajectory, any additional effect on daylight and sunlight within those nearby buildings would also very limited. The proposal would add to the number of overlooking windows but, for the aforesaid reasons, would not significantly affect the levels of privacy.
- 9.35 In conclusion, the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers in such a way that planning permission should be refused if an appropriate planning condition is attached.

Renewable energy

- 9.36 The provision of renewable and low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF. There is strong local

(Local Plan Policy ENV9) and national policy support for the development of renewable energy sources, including solar power, to ensure the country has a secure energy supply, and to reduce greenhouse gas emissions. Although the scheme is modest in size, paragraph 154 of the NPPF confirms that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Moreover, it is not necessary for the appellant to demonstrate the overall need for the proposal.

9.37 The policy support for renewable energy given in the NPPF is caveated by the need for the impacts to be acceptable, or capable of being made so. The Design and Access Statement sets out the details of the energy performance measures that will be integrated into the construction of the dwellings to reduce the carbon footprint of the development. It is considered that solar pv panels and or/tiles are a viable option in this particular location and these will be made available to buyers of the proposed housing. This has been agreed by the applicant and a planning condition is proposed to ensure that an appropriate scheme for the provision of solar energy panels and/or tiles shall be agreed and subsequently provided on the site.

9.38 Local and national policy advises that renewable energy projects should be located where impacts are, or can be made, acceptable. It is considered appropriate for this issue to be explored further with the developer post permission and in conjunction with an appropriate landscaping scheme in the interests of the character and appearance of the area.

Effect on Heritage Assets

9.39 The site lies to the west of the village and shares a boundary with Richard Thornton School, a Grade II listed building. The former school building occupies a prominent position set back on elevated ground, to the west of the A687 from which it takes access. The curtilage boundaries comprise stone walling to the road frontage and to the south along a track serving two properties to the west. Areas of hardstanding to the north of the building provide former playground space and, to the south, car parking. The site area was formerly used as a play area and is currently unmanaged and overgrown. It rises gently to the north bounded by a continuous stone wall with agricultural pastureland beyond.

9.40 The site falls within the Burton in Lonsdale Conservation Area. Several other designated heritage assets fall within proximity to the site, most notably the Castle Hill motte and bailey castle to the east, a Scheduled Monument (1009319). As such, the proposed development will have the potential to impact upon the historic environment and the nature and extent of this is considered as part of the proposal.

9.41 In light of the statutory duties placed upon the Council which require that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess, and that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Para 184 of the NPPF sets out that heritage assets are irreplaceable resources to be conserved in a manner appropriate to their significance. Para 193 of the NPPF also requires that great weight should be given to the conservation of assets, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The more important the asset, the greater the weight should be afforded to the asset's conservation.

9.42 The applicant has submitted a detailed analysis of the heritage assets that will be affected by realisation of the development; it correctly concludes that the development will cause '*less than substantial harm*' to those assets

9.43 It is undeniable that the proposal would represent change in the significance and setting of the identified heritage assets. The development, in the context of the site that enjoys a distinct rural character which is significant to the setting of nationally important heritage assets, would introduce a suburban form of development, eroding the countryside setting and significance of the school, which makes an important contribution to the character and appearance of the conservation area. However, there would not be a total loss of significance and so the proposal would lead to less than substantial harm to the significance of designated heritage assets. That said, the degree of less

than substantial harm would be at the lower end of the scale. The Council has reached this view, in part, because the site, located to the west of the School, has not always been open and undeveloped.

- 9.44 The less than substantial harm to the significance of the designated heritage assets should be weighed against the public benefits of the proposal, including securing its optimum viable use. The proposal would contribute to the provision of housing in the district, in an accepted situation of less than a five-year housing land supply. The delivery of housing on the site would be in an area with access to existing services, recognising the significant role the delivery of housing has in the sustainable economic well-being of the District, which would boost the supply of homes, including much needed affordable housing, would be a significant benefit. The proposal would enhance the economy of the community by the creation of jobs associated with the construction stage, and new residents are also likely to support existing local services and businesses as well as having the potential to enhance the life of the Village with new skills and interests. However, this is afforded limited weight as such factors would be common to any such development.

SUDs.

- 9.45 NYCC LLFA initially expressed concerns regarding the ownership of the land that is to provide access to the site on the basis that it is not presently in the applicant's control. They have subsequently confirmed that, subject to the applicant entering into a legal agreement and providing assurances over long-term maintenance of the drainage systems at the site, they do not object and have recommended a planning condition to ensure that no development takes place until such time as appropriate legal agreement has been met.
- 9.46 The recommendation in this instance is to require the applicant to first enter into a legal agreement which, amongst other matters, will require him to acquire ownership or some form of legal entitlement over the access land and to provide assurances regarding long-term maintenance of the means of drainage to the site. Once established the recommended planning conditions will require formal discharge of planning conditions, in collaboration with NYCC LLFA, before the planning permission can be implemented.

Access & Highway Matters.

- 9.47 Following initial objections to the scheme which were based on uncertainties regarding ownership of the access to the site, NYCC Highways are now supportive of the proposal subject to the applicant entering into a legal agreement that would require him to provide access to the site constructed to an adoptable standard. Accordingly, they have made recommendations for various planning conditions relating to construction specifications of the roads and footways, the provision and retention of access, parking and turning areas together with submission of a Construction Management Statement.
- 9.48 In this case the access that lies adjacent to the southern boundary of the site, and from which access to the main carriageway is to be provided, is not in any specific land ownership. For this reason, it has been problematic for the applicant to be able to give assurances regarding his ability to construct the site access to an adoptable standard. That said, he has agreed to enter into a legal agreement which would effectively fetter development from taking place unless he is able to obtain a legal ownership of the access and would moreover, be bound by planning conditions that would require the access to be constructed to an adoptable standard. It is proposed by the applicant that a management company shall be formed to provide for the long-term maintenance of the access to an adoptable standard.

Officer note: NYCC Highways have suggested a condition that specifically requires the developer to enter into a legal agreement relating to the construction of the access. This would not be a lawful planning condition for the LPA to impose but would nevertheless form part of the Council's formal planning decision which would require the satisfactory completion of a legal agreement (which would require the applicant to gain ownership of the access), including the provisions for constructing and subsequently managing the access, prior to any decision notice being issued.

- 9.49 Whilst the Council could delay issuing a decision on this application pending further consideration of the question of the site access it would, in officer's opinion, be unreasonable to do so given that the matter can be effectively controlled both by a legal agreement and planning conditions. In summary, the applicant would be legally bound to ensure that he obtains lawful control of the access and that any subsequent highway construction could only be undertaken in full accordance with the Highway Authority's specifications. On this basis it is recommended that planning permission is granted subject to the satisfactory conclusion of a legal agreement and the imposition of the planning conditions as recommended by NYCC Highways.

Biodiversity

- 9.50 The ecological value of the site is comparatively low given its status as being previously developed. An ecological appraisal submitted in support of the application highlights the limited potential for protected species to be present on site. However, development proposals should include the provision for bat and bird boxes and invertebrate habitats in order to make the land more attractive for animals to use the soft landscaped areas for foraging. A planning condition is necessary to ensure that these measures are integrated into the development scheme as well as securing the use of native plant species for soft landscaping to achieve a biodiversity net gain.
- 9.51 The NPPF states that proposals should provide appropriate landscaping to ensure that they integrate well into the surrounding locality. This requirement is repeated in the adopted Local Plan. It is proposed to remove seven trees of limited value from the site whilst retaining part of the soft landscaping and supplant these with new trees and soft landscaping. The Council's Tree Officer has reviewed the tree survey and has raised no objection. This aspect of the development is important, not only in terms of it supporting its overall character but in also in respect of air quality and biodiversity gains, a failure to agree the scope and extent of the tree planting program and soft landscaping scheme is not, of itself, a compelling enough reason to withhold permission. Notwithstanding, a pre-occupation planning condition will be attached to the decision to allow the Council and the developer to secure an appropriate level of landscaping and ensure the new scheme will adequately mitigate for the loss of certain existing trees and would improve the landscaping coverage on site. Moreover, a future landscaping plan will be secured to ensure that built form is appropriately softened and that there is no unnecessary fragmentation of existing soft landscaping.
- 9.52 Views of the proposal would be framed and screened by established and proposed vegetation. Whilst the comments of the Tree Officer have been considered, it should be acknowledged that the final form of the proposal would result in residential development on land that is not absent of built form. This is not a case that would result in the merging of settlements or harm to the wider landscape character. The forthcoming landscape proposal will need to respond to the policy requirement to provide high quality, accessible well-designed public realm and landscaping within new developments. The landscape design should provide a unifying element to the design proposals helping them to connect the new buildings together with its setting and stitch it into the wider context. A management plan will ensure that this intention is realised and the use of professional landscaping contractors, responsible for planting, pruning, irrigation, tending the lawns and general horticultural advice, is encouraged. Management and maintenance of the new habitats created as part of the landscape strategy in order to maximise biodiversity gain will form part of the management plan.

10. Recommendation

- 10.1 It is recommended that delegated authority be given to the Planning Manager to grant planning permission subject to the following: -
- i) Completion of a Sn 106 Legal Agreement in relation to the provision of affordable housing, POS contributions and the subsequent construction and management of the site access.

Conditions

Time Limit for Commencement

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Approved Plans

- 2 This permission relates to the following plans:

Drawing nos.

022004 05 Rev B Location Plan
02 Rev F Site Plan and Ground Floor Plan
03 Rev A Elevations
04 Rev A First Floor Plan
06 Rev A Roof Plan

Design and Access Statement

Heritage Statement

Tree Report

Public Right of Way Statement

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District Local Plan 2012 - 2032 and the National Planning Policy Framework.

Before you Commence Development

- 3 No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system

During Building Works

- 4 No development above ground level shall take place until details of existing and finished site levels, including the finished floor and ridge levels of the buildings to be erected, and finished external site surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposed levels of the development are required prior to commencement of above ground works for the avoidance of doubt and in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties.

- 5 Prior to their first use on site full details of all materials to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

- 6 Prior to their first use on site full details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

Before the Development is Occupied

- 7 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;

2) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs);

3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;

4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

5) types and dimensions of all boundary treatments

6) the provision for bird and bat nesting boxes that accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 8 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a landscape management plan, including long term design objectives, management

responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 9 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a schedule of landscape maintenance for a period of five years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 10 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of any remedial works to trees that are to be retained on site, including tree protection measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of any remedial works.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 11 2 electric vehicle charging points (providing active electric vehicle charging provision to 4 spaces) shall be constructed and marked out and the charging points installed prior to the occupation of the development, and shall thereafter be retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032

- 12 No development above ground level shall take place until an energy strategy demonstrating a reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) has been submitted to and approved in writing by the Local Planning Authority. Once the energy strategy is in place a certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032.

- 13 Prior to the occupation of the dwellings hereby approved, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide high quality communications infrastructure for future occupiers in accordance with policy ENV3 of the Craven Local Plan 2012 to 2032.

- 14 Prior to the occupation of the dwellings hereby permitted, a site plan showing the proposed locations of Solar PV Panels and samples of the materials to be used in the construction of the solar panel array shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved samples and retained as such thereafter.

Reason: To promote sustainability through renewable energy in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032

- 15 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

- 16 No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority.

The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

- 17 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Land At Richard Thornton's School, Burton In Lonsdale, Carnforth, Lancaster, LA6 3JZ have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf

- 18 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. details of site working hours;
6. details of the measures to be taken for the protection of trees; and
7. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

Ongoing Conditions

- 19 In the event of the solar PV equipment hereby approved ceasing to produce electricity, they shall be permanently removed from the building within 3 months of the date they become redundant, and the roof covering shall be restored to match the remainder of the roof.
Reason: In the interest of the visual amenity in accordance with Policy ENV3 and ENV9 of the Craven Local Plan and the National Planning Policy Framework.

Informatives

1. The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
2. The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.
3. The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.
4. The developer shall ensure that a plan is implemented in order to control dust created during the construction phase of the development. The plan shall be in line with the Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction. The dust management plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use.

5. Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

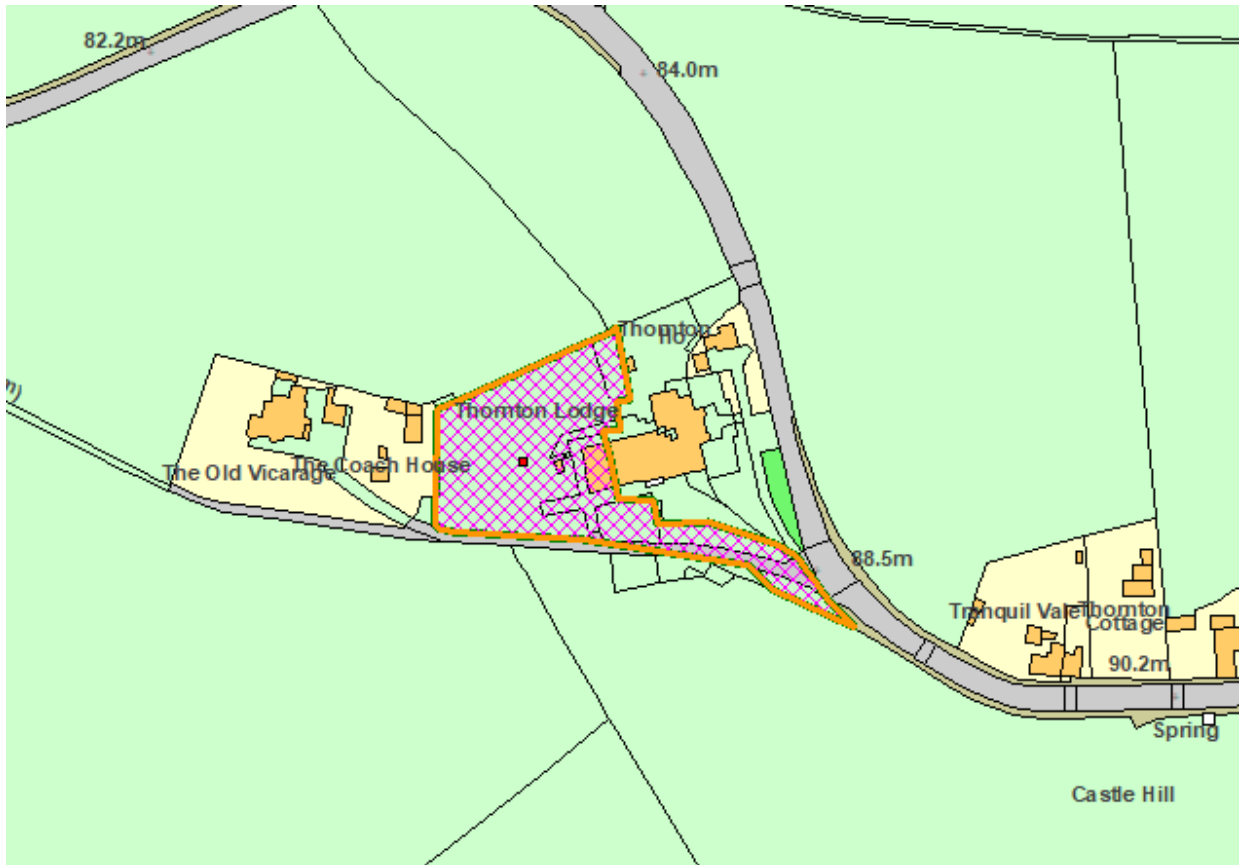
6. Public Rights of Way:

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

7. The applicant is advised that this permission does not entitle the alteration or removal of any of the built structures associated with the Grade II listed school building other than those expressly approved by virtue of this permission. Such works would require Listed Building Consent and would constitute an offence under the Planning (Listed Buildings and Conservation Areas) Act 1990 if undertaken without consent having first been obtained.
8. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



Application Number: 2020/22109/FUL

Proposal: Revised description Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site.

Site Address: Land At Richard Thornton's School Burton In Lonsdale
LA6 3JZ

On behalf of: Permahome Limited

Application Number: 2021/23028/HH

Proposal: Construction of single storey rear extension.

Site Address: 54 Barden Road Eastby Skipton BD23 6SN

On behalf of: Mr John Midgley

Date Registered: 2nd July 2021

Expiry Date: 27th August 2021

EOT Date, if applicable: 8th October 2021

Case Officer: Chris Fairchild

SUMMARY

The principle of development is acceptable. The proposal has been considered against all material considerations that arise from the development. This report demonstrates that the proposals satisfy each of these material considerations including by way of conditions where appropriate.

1. Site Description

- 1.1 The site is located within the main urban area of Eastby. The site includes a detached building sited c1m from the rear elevation of no.54, a large area of hardstanding leading to a private driveway.
- 1.2 The site is located within the Eastby Conservation Area. C.50m to the east is Grade II listed Dale Head Farmhouse, c.50m to the west is Grade II listed Eastby Hall and Garden albeit the site is not considered to fall within these listed buildings' curtilage.
- 1.3 As per the Environment Agency's Flood Map for Planning, the site is located within Flood Zone 1, i.e. land having a less than 1 in 1,000 annual probability of river or sea flooding, and is therefore of low flood risk.
- 1.4 The site sits within a Site of Special Scientific Interest Impact Risk Zone but does not constitute a form of development that requires consultation with Natural England. There are no other relevant sites of environmental protection.

2. Proposal

- 2.1 Planning permission is sought to demolish the existing detached building and create a single storey, gable roofed extension to no.54 attached to the dwelling via a link corridor. The ground floor plans indicate a bedroom, en-suite, and living room. Separate entrances to the property are included via a set of French doors and a side-entrance. A decked area to the south elevation at 1.6m is included, leading on to the existing hardstanding area that is retained.

3. Planning History

- 3.1 The following application is relevant to the determination of this application:

Ref: 2020/21578/FUL
Description: Change of Use of Burnlea to a separate dwelling and retrospective permission for a pitched roof
Address: Burrnlea [rear of no.54], Barden Road, Eastby, Skipton, BD23 6SN
Decision: Refused 28.08.2020

4. Planning Policy Background

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. This is recognised in paragraph 11 of the National Planning Policy Framework ('NPPF'), with paragraph 12 stating that the NPPF does not change the statutory status of the development plan as the starting point for decision making.
- 4.2 The July 2021 NPPF replaced the February 2019 NPPF, first published in March 2012. The NPPF does not change the status of an up-to-date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (Paragraph 12). This application has been considered against the 2021 NPPF.
- 4.3 Annex 1 of the NPPF outlines how it should be implemented:
'219.existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'
- 4.4 The development plan for Craven consists of the Craven Local Plan 2012 to 2032 (November 2019) ('LP'). The relevant LP policies to the determination of this application are:
- SD1: The Presumption in Favour of Sustainable Development
 - ENV2: Heritage
 - ENV3: Good Design
 - ENV4: Biodiversity
 - ENV6: Flood Risk
 - INF4: Parking Provision
- 4.5 Craven District Council undertook Conservation Area appraisals as part of the LP evidence base. A draft Area Appraisal for Embsay was produced and represents a material consideration within the determination of this application.

5. Parish/Town Council Comments

- 5.1 Embsay with Eastby Parish Council object to the application. No prior consultation with the Parish Council has occurred contrary to NPPF. The application form is not visible on public access. No objection in principle to extension of property and whilst extension is not visible from public view, given the Conservation Area location it is considered development should reflect materials and finishes in the area: the proposed materials do not achieve this.

6. Consultations

- 6.1 No additional consultations were made or were necessary for the application.

7. Representations

- 7.1 The application was advertised via the erection of site notice, advertisement within the local press and distribution of letters to adjoining occupiers.
- 7.2 Following this publicity, one representation has been received from the adjoining neighbours in support of the application who consider the proposed building less obtrusive than the existing building and support the use of environmentally sustainable materials.

8. Summary of Principal Planning Issues

8.1 The following matters are key to the determination of this planning application:

- Principle of Development.
- Heritage & Conservation
- Residential Amenity.
- Design & Character.
- Highways & Access.
- Flood Risk & Drainage.
- Sustainability.
- Nature Conservation.

9. Analysis

Principle of Development

9.1 LP Policy SD1 confirms a positive and proactive approach to the consideration of development proposals reflective of the presumption in favour of sustainable development contained within the NPPF and sets out how this will be achieved. LP Policy SD1 is therefore consistent with Chapter 2 of the NPPF.

9.2 The site is located within the main built of area of Eastby, defined within the LP as a Small Village and Hamlet. There is no in-principle policy controlling householder development within villages, nor is there any within the NPPF: however, it is established through appeal precedent, case law and best practice that such development is acceptable. The principle of development is therefore considered acceptable.

Appearance, Heritage & Conservation

9.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') imposes a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

9.4 Paragraph 199 of the NPPF requires great weight be given to the asset's conservation. The more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification (Paragraph 200). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (Paragraph 201).

9.5 LP Policy ENV2 seeks to conserve and where possible enhance the historic environment including the legacy of traditional barns and other buildings associated with the farming industry and historic land estates. Criterion b) requires proposals affecting designated heritage assets accord with the criteria set out within the NPPF listed above. In respect of Conservation Areas Criterion c) supports proposals that would:

'preserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance'.

9.6 LP Policy ENV3 sets out the general design principles that contribute to achieving good design, including (inter-alia): a) a response to the context of the site; b) a respect of surrounding built form; c) legibility and place making, and; d) enhancing positives of local environment whilst minimising negatives.

9.7 NPPF Paragraph 124(e) seeks planning decisions to support development that makes efficient use of land taking account of the importance in securing well-designed, attractive places.

- 9.8 NPPF Paragraph 126 underlines the fundamentality of achieving high-quality, beautiful and sustainable buildings within the planning process. NPPF Paragraph 130 requires decisions ensure that development is visually attractive, sympathetic to local character, maintenance of place including building types and materials.
- 9.9 The submitted Heritage & Design Statement states:
'The proposals are to the rear, less publicly visible side of the terrace. Through reductions in height, width and length, and choice of neutral coloured materials, the proposals have a significantly reduced impact upon the Conservation Area compared to the current situation, and therefore make a positive contribution to the Conservation Area'.
- 9.10 The Eastby Conservation Area Appraisal August 2016 notes the character of Eastby to be 'particularly rural'. The CA Appraisal notes the existence of new outbuildings and farm buildings behind the frontage of roadside buildings including that many have been converted to residential use. The site is not noted within the CA Appraisal as being part of a significant view or of a space that defines the character of the Conservation Area. It is notable that the CA Appraisal does not identify building that positively or negatively enhance the character of the Conservation Area.
- 9.11 The building in question of this application was erected in the late 1990s and is therefore of little historic interest. The building is plain in ornamentation, befitting the agricultural nature of the area, and the choice and quality of the main surface materials – stone and natural slate are well-considered. Details such as the top-opening windows, deep white fascia boards are, however, poorly articulated.
- 9.12 The building is of a significant scale and massing, dominating the rear elevation of no.54 and detracts from the character of the rear plots of no.54 and adjoining cottages. The part-flat-part-gabled roof bears no relation to surrounding roofscapes and detracts significantly from the area's character.
- 9.13 The current configuration of the building, including prominent full-length, tall windows lends to the building being interpreted as a modern, residential extension/outbuilding and detracts further from the character of these rear plots.
- 9.14 Overall, it is considered the building creates a low-level of negative impact upon the character of the Conservation Area.
- 9.15 The proposed replacement extension consists of two main forms, a larger gable-ended element attached to the dwelling with an adjoining narrower, lower, gable-ended section. The compact, broken-up form creates a sense of agricultural outbuildings buildings subservient to the dwelling and less dominant than the existing building.
- 9.16 The materials proposed consist of larch cladding and a merlin grey standing seam steel roof. The justification within the submission is that they match the Beamsley School 2015 extension. NPPF Paragraph 194 requires applicants to describe the significance of heritage assets affected by proposals. NPPF Paragraph 195 requires local planning authorities to identify and assess the particular significance of heritage assets affected by proposals taking account of the available evidence and any necessary expertise.
- 9.17 In this case, no demonstration of the significance of the Conservation Area beyond a simplistic comparison to a separate scheme outside of the same context has been put forward, by contrast the significance of the Conservation Area is informed by appropriate expertise within the CA Appraisal that does not include either of these materials.
- 9.18 Whilst it is not the purpose of planning to stifle innovation and new development within Conservation Areas, change should be well articulated and rooted in an understanding of the area. In the absence of this information, it is considered appropriate, on balance, to secure the details of the building's materials by way of condition.
- 9.19 Subject to securing appropriate materials, it is considered the proposed development would cause less than substantial harm to the Conservation Area and a balanced decision in accordance with

NPPF Paragraph 201 is required. On balance, it is considered that there are public benefits in replacing a comparatively harmful building with a more appropriate structure and that this outweighs the harm arising from the proposal. Accordingly, the proposal accords with Section 72 of the Act, NPPF Paragraphs 124, 126, 199-201, and LP Policy ENV2 & ENV3.

Residential Amenity

- 9.20 LP Policy ENV3(e) establishes a principle of achieving good design within development is the protection of amenity of existing resident and creation of an acceptable amenity for future occupiers. LP Policy ENV3(f) requires development proposals to demonstrate how this will be achieved.
- 9.21 NPPF Paragraph 130(f) requires planning decisions to ensure that a high standard of amenity for existing and future users is achieved.
- 9.22 The current detached building contains windows within the eastern elevation looking directly into the rear garden of the neighbouring property. The current configuration contains habitable living space which exacerbates the impact of overlooking creating a significant adverse impact on residential amenity.
- 9.23 Comparatively, no windows are included on the side elevations of the proposed building, the only openings are the southern elevation French doors and side doors, these face the hardstanding area and private drive with boundary vegetation beyond: accordingly, there is no overlooking arising from the proposal and a net gain in terms of impacts upon neighbouring properties.
- 9.24 The existing part-flat-part-gabled roof is c.5.4m above ground level to the ridgeline of the pitch, and c.3.5m to the eaves of the pitched section reducing to c.2.7m to the flat roof section owing to topography. In comparison, the split gable roof ranges from c.4.1m above ground level to the ridgeline of the taller element nearest the dwelling down to c.3.7m for the shorter element. The eaves height ranges between c.2.6m to c.2.9m above ground level. This reduction in overall height across the building creates a less imposing massing than the existing building and makes the development an improvement over the existing arrangement.
- 9.25 In addition to a reduction in height, the proposed building is 0.8m shorter than the existing building (c.10.6m vs c.9.8m). Furthermore, the length of the building is moved hard against the elevation reducing the perception of building's length in adjoining gardens further. The building at its widest has been reduced by c.0.6m (c.6.2m vs c.5.6m), however, the form of the building is broken up with a narrower section, running approximately half the length of the building, being c.4.2m wide and pulling the building away from the shared boundary of the neighbouring eastern dwelling's garden. As with the reduction in height, the reduction in width is a net gain on the current arrangement from an overbearance perspective and is considered acceptable.
- 9.26 The reduction in height and width of the building and moving bulk away from neighbouring gardens as described above also reduces the amount of overshadowing that occurs on the neighbouring properties and is considered acceptable.
- 9.27 The proposal will introduce increased built height adjacent the rear elevations of no.54 and adjoining houses. The supporting Heritage & Design Statement includes a Building Research Establishment's ('BRE') 45° "rule of thumb" assessment of the height of the building. It is considered that the proposal will result in a reduction in the loss of daylight and sunlight to adjoining properties and will not create an adverse loss of daylight or sunlight to adjoining properties.
- 9.28 The proposal will not create a loss of private external amenity space and will create additional living space for occupants. The amenity of residents is therefore improved.
- 9.29 As such, the proposal is considered to provide acceptable amenity for surrounding and existing residents in compliance with LP Policy ENV3 and NPPF Paragraph 130.

Highways & Access

- 9.30 LP Policy INF4 seeks to encourage sustainable transport modes and reduce conflict between road users by ensuring proper provision and management of parking for cars and other vehicles. This can be achieved by the provision of appropriate parking spaces for cars.
- 9.31 NPPF Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.32 There is no change to the private drive nor area of hardstanding to the rear of the extension. There are no unacceptable highway impacts arising from the proposal and accordingly the proposals comply with LP Policy INF4 and NPPF Paragraph 111.

Flood Risk & Drainage

- 9.33 LP Policy ENV6 states development will take place in areas of low flood risk. NPPF Paragraph 159 directs development away from areas at highest risk of flooding.
- 9.34 LP Policy ENV6 states development should incorporate sustainable drainage unless unfeasible and the risk of surface water flooding will be minimised via suitable drainage in accordance with the Environment Agency's standards set out within LP Appendix C: disposal of water in accordance with the sustainable drainage hierarchy; evidence why a mains connection is required; run-off reduction; flood attenuation including climate change allowance.
- 9.35 The site is within Flood Zone 1, an area of low probability of flooding from rivers or sea. Given the scale and nature of the proposal makes the principle of development acceptable from a flood risk perspective.
- 9.36 Given there is a net decrease in the amount of hardstanding, it is not considered necessary to introduce sustainable drainage systems. Foul drainage will be disposed of via the existing system and this is considered appropriate given the householder nature of the proposal. There are no drainage concerns arising from the proposal.

Sustainability

- 9.37 LP Policy ENV3 seeks for sustainability to be 'designed in' to development via considered design & layout, construction methods, and use of technology.
- 9.38 NPPF Paragraph 152 states that planning system should support transition to a low carbon economy
- 9.39 The submitted Heritage and Design Statement makes the case that the existing building has little to no insulation and the proposed materials will exceed building regulations. The Statement goes further to suggest low water-consumption appliances will be utilised.
- 9.40 Whilst the energy saving potential of the proposed materials is noted, this does not outweigh the potential harm to the Conservation Area. It is considered a similar standard of performance could be achieved through the use of traditional external materials and modern construction techniques.
- 9.41 It is considered that the use of appropriate materials and construction in accordance with building regulations is proportionate and appropriate to the scale and type of development proposed within a Conservation Area and would comply with LP Policy ENV3 and NPPF Paragraph 152.

Nature Conservation

- 9.42 LP Policy ENV4(c) states that development which would result in significant loss or harm to biodiversity without compensation will be resisted. LP Policy ENV4(b) states development should provide equal or, where possible, greater biodiversity value: enhancements should be on-site in the first instance.

- 9.43 NPPF Paragraph 174(d) seeks for planning decisions to contribute to and enhance the natural environment by minimising impacts and providing net gains for biodiversity.
- 9.44 All bat species are protected under the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act 2000 and The Conservation of Habitats and Species (Amendment) Regulations 2017.
- 9.45 The presence and extent to which protected species will be affected must be established before planning permission is granted. If not, a decision will have been made without all the facts (ODPM/Defra Circular, para 99)
- 9.46 The application has been supported by a Preliminary Bat Roost Assessment (June 2021) that consisted of a daytime survey of the building. The Assessment found no evidence or observation of roosting bats, the building to have negligible potential for roosting bats, and in conclusion no further surveys were necessary nor is an European Protected Species licence.
- 9.47 It is considered that the survey has been undertaken by a suitably qualified practitioner and the findings are accepted and the requirements of relevant legislation and policy to safeguard protected species has been satisfied.
- 9.48 The submitted Assessment suggests biodiversity net gains of the installation of a bat box, given the lack of biodiversity value on the site this modest improvement constitutes a sufficient net gain and a condition requiring such is recommended. The cautionary advice to stop works if a bat is discovered is recommended to be included by way of an informative (as opposed to a condition given that regulations already exist to cover such an event).
- 9.49 Subject to the recommended condition and informative, the proposal protects biodiversity and provides a satisfactory net gain in accordance with LP Policy ENV4 and NPPF Paragraph 174.

Conclusion

- 9.50 The principle of development is acceptable. The proposal has been considered against all material considerations that arise from the development. This report demonstrates that the proposals satisfy each of these material considerations including by way of conditions where appropriate.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 This permission relates to the following plans:
- o Extension 54 Barden Road Eastby, Scale 1:100, May 2021 [received 16 June 2021]

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 3 Prior to any construction above ground, details of the materials to be used in the construction of the exterior walls and roof shall be submitted to and approved in writing by the Local Planning Authority, and only the approved materials shall be utilised.

Reason: In order to safeguard the special architectural & historic interest, character, appearance and integrity of the Conservation Area in order to comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, National Planning Policy Framework Paragraphs 124, 126, 199-201, and Local Plan Policy ENV2 & ENV3.

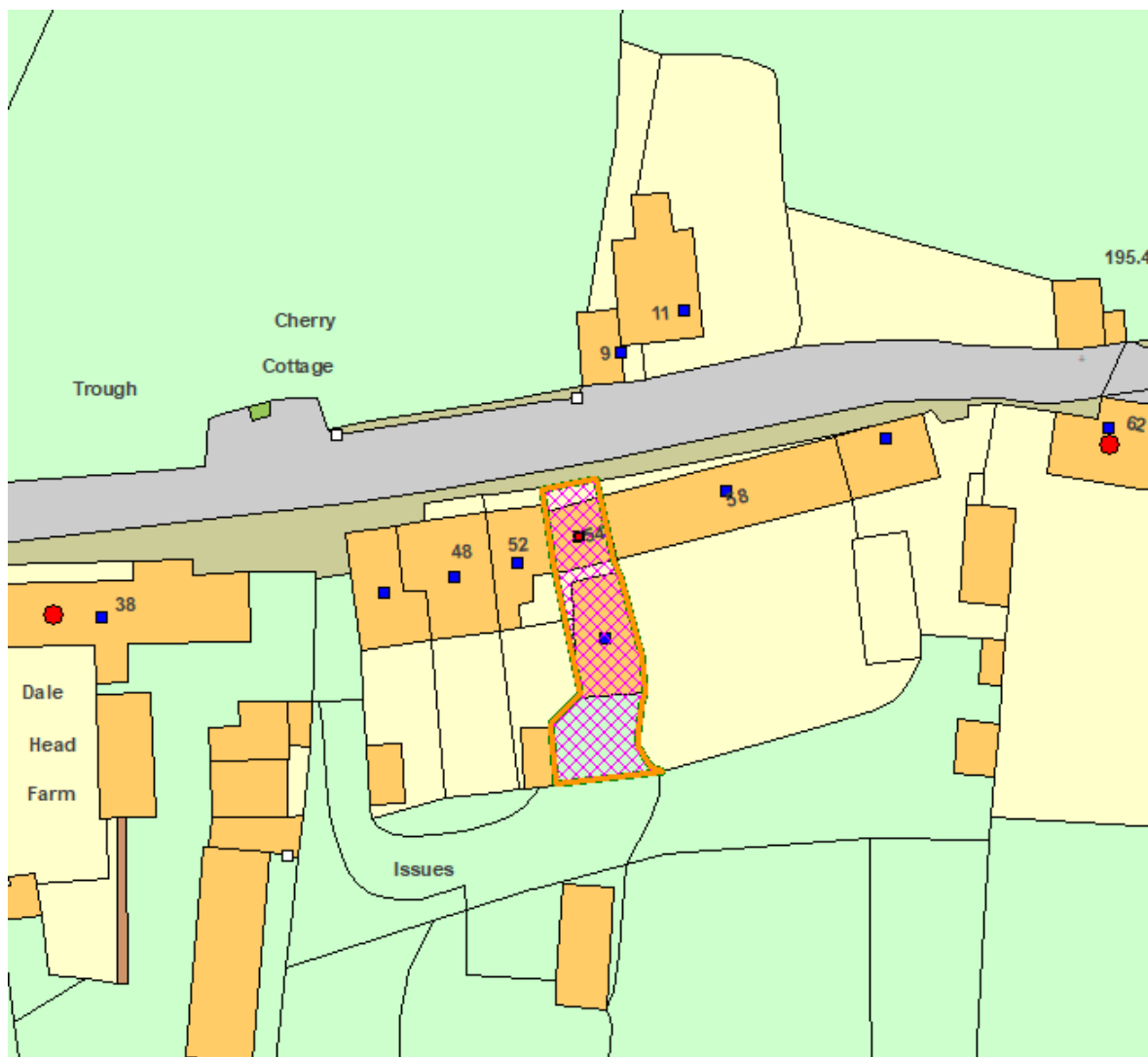
Before the Development is Occupied

- 4 Prior to use of the permitted development, a Greenwoods Ecohabitats Tow Chamber Bat Box or Kent Bat Box shall be installed in accordance with the recommendations of the Preliminary Bat Roost Assessment Report (08.06.2021). The bat boxes shall be retained thereafter.

Reason: In order to establish a net gain in biodiversity in accordance with in accordance with Local Plan Policy ENV4 and National Planning Policy Framework Paragraph 174.

Informatives

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.
2. In the unlikely event of bats or their roosts being exposed or vulnerable to harm, suspend further work in that area, cover the exposed bats to reduce any further risk of harm and seek advice immediately and seek advice from a qualified ecologist immediately.



Application Number: 2021/23028/HH

Proposal: Construction of single storey rear extension.

Site Address: 54 Barden Road Eastby Skipton BD23 6SN

On behalf of: Mr John Midgley

REPORT TO PLANNING COMMITTEE ON 25th October 2021

Application Number: 2021/22945/FUL

Proposal: Proposed replacement roof & raised wall height to south & east elevations

Site Address: Park Mill Brougham Street Skipton BD23 2JN

On behalf of: Pro Arte Ltd

Date Registered: 28th June 2021

Expiry Date: 23rd August 2021

EOT Date, if applicable:

Case Officer: Mr Sam Binney

SUMMARY

The proposal would result in the raising of a section of roof to allow for another floor to serve the existing mill. It is considered to be of a good design that will have a minimal impact visually or upon the amenity of neighbouring occupiers. The recommendation is therefore to approve subject to conditions in accordance with Local Plan Policy ENV3 and the NPPF.

1. Site Description
 - 1.1 The application premises are located to the east of the town centre, close to the junction of Newmarket Street, Shortbank Road, and Brougham Street. Park Mill comprises a single storey 'north-light' former textile weaving shed and a three-storey frontage 'office' block facing Brougham Street. To the north side of the building is a car parking area – with access off Brougham Street. The three-storey building has a stone frontage, with a high roof parapet wall. The side elevation facing the car park is also faced in stone. However, the rear of the building and the south elevation (including the 'north light' shed) are faced in red brick.
 - 1.2 Surrounding the site are a mix of uses including residential, retail and office space.
 - 1.3 The site falls within the designated Skipton Conservation Area and the Main Built-Up Area of Skipton.
2. Proposal
 - 2.1 The application seeks planning permission for the raising of the northern light roof to the single storey section to the east of the building to allow for a first floor extension. The new roofline will be marginally lower than the existing parapet walls to the north elevation.
3. Planning History
 - 3.1 5/63/182: Formation of first floor offices in existing warehouse area. Conditional approval 23 May 1980.
 - 3.2 5/63/182/A: Formation of ground floor show room and A3 outlet on second floor. Conditional approval 14 November 1980.
 - 3.3 5/63/182/D: Change of use from retail showroom to offices. Conditional approval 25 June 1992.

- 3.4 5/63/182/E: Change of use of showroom to light industrial use. Conditional approval 21 March 1996.
- 3.5 63/2003/3356: Proposed extension to provide additional production and storage accommodation. Approved 26th August 2003.
4. Planning Policy Background
- 4.1 Local Plan Policies:
- 4.2 SD1 – The Presumption in Favour of Sustainable Development
- 4.3 ENV1 – Countryside and Landscape
- 4.4 ENV2 – Heritage
- 4.5 ENV3 – Good Design
- 4.6 National Policies:
- 4.7 The National Planning Policy Framework
- 4.8 Planning Practice Guidance
5. Parish/Town Council Comments
- 5.1 Skipton Town Council: “No comment at this time”.
6. Consultations
- 6.1 No additional consultations necessary.
7. Representations
- 7.1 Site Notice dated 15th July 2021.
- 7.2 Press Notice published 15th July 2021.
- 7.3 6 notification letters sent to neighbouring properties.
- 7.4 5 comments have been received from 3 neighbouring properties. A summary of the comments is outlined below:
- 7.5 Visual impact/heritage
- Impact statement does not include impact upon occupiers of Toller Court.
 - Visually out of keeping with the area.
- 7.6 Amenity
- Concern of overlooking from the proposed windows in the east elevation.
 - Would block the neighbouring properties side fire access.
- Officer’s Note:** The proposal would increase the height of the existing roofline, but would not project out from the existing footprint so would not alter any neighbouring access.
- 7.7 Wildlife
- Works would disturb bats roosting.
- 7.8 Other Matters
- Lack of notification of application.
 - If granted, request:
- All building work undertaken from application site.
- Request for windows to use obscured glazing.

Request for a bat survey to be undertaken.

Request for new roof drainage to be put in place.

8. Summary of Principal Planning Issues

8.1 Visual impact of the development

8.2 Sustainable Design

8.3 Impact on amenity

9. Analysis

Visual impact of the development upon the surrounding conservation area

9.1 Local Plan policy ENV1 requires that opportunities to restore and enhance the landscape are taken wherever possible, through the restoration of historic man-made features where appropriate.

9.2 Policy ENV2 stated that development should conserve and, where appropriate, enhance Craven's historic environment. In particular, this will be done by ensuring that proposals affecting a designated heritage asset (or an archaeological site of national importance) conserve those elements which contribute to its significance. The more important the asset, the greater the weight that will be given to its conservation.

9.3 With regard to design, policy ENV3 requires that development should respond to context, should respect the form of existing and surrounding buildings and maintain the sense of place. Furthermore, development should seek to enhance local distinctiveness.

9.4 The NPPF sets out good design as a key aspect of sustainable development. Specifically, it requires that development is sympathetic to local character, including the surrounding built environment and landscape setting and maintains a strong sense of place.

9.5 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

9.6 Paragraph 199 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case the application site is located within the Skipton Conservation Area and within close proximity to several Grade II listed buildings including The Cross Keys pub and The Old Grammar School to the north-east. Therefore, the proposal has the potential to affect the setting of those heritage assets.

9.7 At paragraph 201 the NPPF advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. The main concern of the proposal would derive primarily from the visual impact of the development and the potential impact on the setting of the surrounding area.

9.8 The proposed works would result in the loss of the architecturally significant northern light roof style. The infill sections of the roof form have been replicated within glazed window openings to the side elevations. This is similar to the replication of the northern light style replicated on the roof forms of the office buildings to the east on the site of the former mill. Accordingly, the loss of this feature and replication with the window form is considered visually appropriate.

9.9 The use of materials for the increased height to the walls will match those on the existing building including the use of red brick to the south elevation, and natural stone to the east and north elevations. It is considered that as these materials will match the existing building, they are appropriate materials that will be visually acceptable when viewed from the surrounding area.

9.10 The main public viewpoints to the site will be from Toller Court to the east, and the minor road to the south of the mill connecting Brougham Street to Ermysted Street to the east. While the mill is

also visible from Newmarket Street to the north, the works will be concealed entirely behind the existing parapet wall to the north elevation. While some views of the site will be achieved from the aforementioned public viewpoints, the works would be seen in the context of the existing mill and would not detract from that character. Due to the scale, design and use of appropriate materials, it is considered that the proposed development will not have a significant visual impact upon the surrounding conservation area.

- 9.11 In conclusion, for the above reasons, the proposed development is considered to meet the requirements of Local Plan Policies ENV1, ENV2 and ENV3, and the NPPF and is therefore acceptable.

Sustainable design

- 9.12 In regard to sustainability of design, this has been taken into consideration by the applicant. This includes the use of locally sources natural materials where possible, cavity wall construction, and double glazing to the east elevation windows. Overall, it is considered that the proposed development has incorporated a sustainable design while retaining the visual character of the area.

Amenity impact of the development

- 9.13 Local Plan policy ENV3 requires that development secures a good standard of amenity for all existing and future occupants of land and buildings. This is consistent with the NPPF requirement that decisions should deliver a high standard of amenity for existing and future users.
- 9.14 Paragraph 130 of the NPPF further states that planning decisions should create places that are safe, inclusive with a high standard of amenity for existing and future users.
- 9.15 The proposed extension will result in the angled sections of the northern lights roof slopes to be infilled with glazed window openings facing east toward Toller Court. Some occupiers of those neighbouring properties have objected to the scheme due to the loss of privacy from the proposed windows in the east elevation.
- 9.16 While it is accepted that these windows face across the rear gardens of some of the properties on Toller Court, as well as the front parking and amenity areas, the applicant has stated that they intend to install obscure glazing to these windows. This is to allow the proposed room to gain direct light during morning periods, while respecting privacy between the mill and neighbouring occupiers. A condition will therefore be attached to any forthcoming permission to ensure that this privacy is upheld.
- 9.17 As the proposal would result in additional height to this section of the building, it would result in some additional overshadowing to the surrounding area. Due to the siting and orientation of the works, some additional shadowing will take place toward the rear garden at Toller Court at midday and early afternoon periods. The rest of the day will be relatively unaffected due to the significant height difference between this east section of the building and the tall, 3-storey main building immediately to the west.
- 9.18 In conclusion, the proposed development meets the requirements of Local Plan Policy ENV3 and the NPPF with regard to amenity impact.
- 9.19 Conclusion
- 9.20 Paragraph 11 of the NPPF advises that LPA's should be approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 9.21 In this instance, the proposed development is considered to be acceptable in principle. Furthermore, there is not considered to be a significant detrimental visual impact on the

surrounding conservation area. The amenity impact is not considered so significant as to warrant the refusal of planning consent.

- 9.22 On balance, it is considered that there are no adverse impacts arising from the development that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF. The proposed development accords with the requirements of the Craven Local Plan and the NPPF. Accordingly the application is recommended for approval.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

- 1 The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 The permission relates to the following plans:

- Drawing No. 01 "Location Plan" received 24th May 2021.
- Drawing No. 05 "Proposed GFL" received 24th May 2021.
- Drawing No. 06 "Proposed FFL" received 24th May 2021.
- Drawing No. 07 "Proposed Roof Plan" received 24th May 2021.
- Drawing No. 08 "Proposed Sections & Elevations" received 24th May 2021.
- Drawing No. 09 "Proposed Block Plan" received 24th May 2021.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

Ongoing Conditions

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans.

Reason: To specify the terms of the permission and for the avoidance of doubt.

- 4 Prior to first use of the hereby approved works, the new windows to the east elevation shall be fitted with obscure glazing. The development shall be maintained with obscure glazing at all times thereafter.

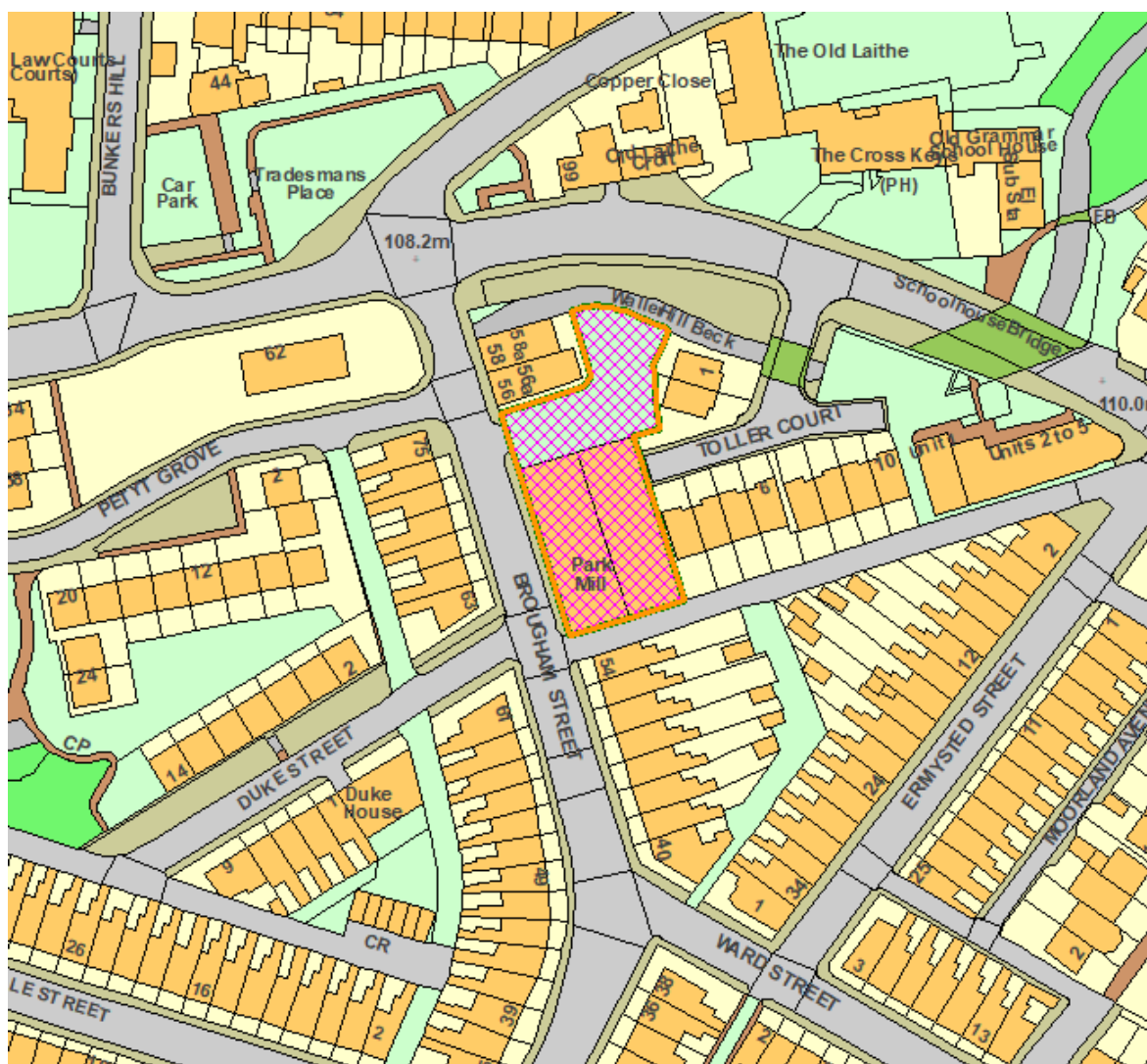
Reason: To protect the amenity of the occupants of the nearby residential properties in accordance with Local Plan Policy ENV3 and the NPPF.

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

2. Whilst the site has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.



Application Number: 2021/22945/FUL

Proposal: Proposed replacement roof & raised wall height to south & east elevations

Site Address: Park Mill Brougham Street Skipton BD23 2JN

On behalf of: Pro Arte Ltd

REPORT TO PLANNING COMMITTEE ON 25th October 2021

Application Number: 2021/22939/FUL

Proposal: Alterations to the external elevation of Skipton Town Hall

Site Address: Town Hall High Street Skipton BD23 1AH

On behalf of: Craven District Council

Date Registered: 14th July 2021

Expiry Date: 8th September 2021

EOT Date, if applicable:

Case Officer: Andrea Muscroft

SUMMARY

Enhancements and has been informed by pre-application discussions involving English Heritage and the Local Planning Authority. The proposed replacements are acceptable and the removal of the unsympathetic elements to the main front entrance of the Town Hall would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.

The proposal is recommended for approval subject to conditions set out below.

1. Site Description

- 1.1 The application relates to the front elevation of Skipton Town Hall, a Grade II Listed building constructed in 1862. The main elevation fronting onto the High Street is particularly detailed, with columns and pilasters, moulded architraves to the windows, and arches to the entrance. The side elevation facing Jerry Croft has been the subject to a number of alterations with the construction of a disabled ramp, a single storey extension and the demolition of a rear extension and the construction of a two-storey rear extension.
- 1.2 The site occupies a prominent position on the High Street in Skipton Town Centre.
- 1.3 The site is located within the designated conservation area of Skipton.
- 1.4 The High Street is subject to two Article 4 Directions which restrict: -

The erection or construction of gates, fences, walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic, or two metres high in any other case, and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure.

Development consisting of the painting of the exterior of any building or wall. "Painting" shall include any application of colour. "Wall" shall include reveals around doors, windows and other openings and include any porch, stairway or other projecting or

recessed feature except for joinery, rainwater goods, lighting apparatus and advertisement signs.

2. Proposal

2.1 This report covers two applications seeking full planning permission (ref: 22940) and listed building consent (ref: 22939) for works to the external appearance of the building.

2.2 Works consist of the following:

Installation of 3no. External bronze framed glazed doors

Installation of 3no. Pendant external light fittings

Making good and installation of new suspended ceiling to external area.

Removal and replacement of recessed letterbox with framing – (Brushed Brass)

Removal and replacement of handrails with 2no. Brushed brass handrails.

Removal of paint on external steps and the installation of solid brass tactile paving studs.

New Town Hall Sign

Fixtures for signage

2.3 Officer note: The applicant engaged with pre-application discussions with Historic England and the Local Planning Authority. The proposed works are based on the advice received from Historic England.

3. Planning History

3.1 5/63/1528 – Construction of chair store formed by covering part of rear yard area. Withdrawn 1988.

3.2 5/63/1558/LB – Improvements to stage dressing room. Approved 1988.

3.3 5/63/1528A/LB – Listed building consent for the construction of disabled access to side entrance comprising ramp, stone retaining wall with cast iron railing posts and rails painted black. Approved 1991.

3.4 63/2005/5931 – Internal alterations to reception area. Approved 2006.

3.5 63/2006/6322 – Internal alterations to provide disabled access. Approved 2006.

3.6 63/2013/13734 – Change of use of main ground floor rooms fronting High Street to A1 Retail, A2 Financial & Professional Services, A3 Restaurants and Cafes and A4 Drinking Establishments – Refused 28th August 2013.

3.7 63/2014/14333 - Demolish unsafe lean-to, alter internal door and frame to suit external location. Rebuild dwarf walls to accommodate concrete pad to give level access to the hall, install steel bollards and rails to give edge protection to level access. Approved May 2014.

3.8 63/2014/14532 - Listed Building Consent for the proposed demolition of existing toilet block to South elevation of Skipton Town Hall complex on Jerry Croft to be replaced with new accessible access entrance, toilets to ground floor, internal lift and minor internal alterations – Approved July 2014.

3.9 63/2014/14530 - Proposed demolition of existing toilet block to south elevation of Skipton Town Hall complex on Jerry Croft to be replaced with new accessible access entrance, toilets to ground floor, internal lift and minor internal alterations – Approved June 2014.

- 3.10 63/2014/14902 - Proposed change of use to A1, A3 and A4 retail, restaurant, cafe and drinking establishment – Approved 23rd September 2014.
- 3.11 63/2014/15012 – Listed building consent for internal works – Withdrawn October 2014.
- 3.12 63/2014/15083 - Internal and external alterations; application to clarify outstanding items relating to previous applications referenced 63/2014/14530 and 63/2014/14532 – Approved November 2014.
- 3.13 63/2014/15084 - Listed building consent for internal and external alterations; application to clarify outstanding items relating to previous applications referenced 63/2014/14530 and 63/2014/14532 – Approved November 2014.
- 3.14 63/2014/15311 - Application to discharge condition numbers 4, 5, 6, 7 and 10 of planning permission referenced 63/2014/14530 and condition numbers 3, 4, 5 and 6 of planning permission referenced 63/2014/1453 – Split decision February 2015.
- 3.15 63/2015/15516 - Application to discharge condition no's 4 and 5 of planning consent
- 3.16 63/2014/15083 – Application to discharge condition no's 3 and 4 of planning consent
63/2014/15084 – Approved April 2015.
- 3.17 63/2015/15550 - Application for listed building consent to create a refuge on the first floor within Craven Museum – Permission not required April 2015.
- 3.18 63/2015/15649 - Application for approval of conditions 4 & 5 of applications - 63/2014/14530 & 63/2014/14532 – Approved June 2015.
- 3.19 63/2016/17303 - Replace the concert hall windows from timber to aluminium and the layout of the external doors at the High Street entrance – Withdrawn October 2016.
- 3.20 2017/18477/FUL & 2017/18478/LBC - Partially demolish existing building and build new extension to east of Concert Hall. Upgrading to roof and external walls of 1970's extension to the north. Internal reconfiguration of building and increase in roof height above reception area. Removal of 1920's proscenium arch and fixed stage, reinstatement and repair of wall and ceiling decoration, alterations to lighting and heating systems. Installation of bleacher seating – Approved January 2018
- 3.21 2019/20174/CND - Application to discharge condition no's 3 (Concert Hall), 4 (Concert Hall), 5 (Art Deco) and 8 (Safety Barrier) of listed building consent referenced 2017/18478/LBC granted 17.01.2018 – Discharge of conditions satisfactory April 2019.
- 3.22 2019/21160/FUL - Roofing repairs to concert hall within town hall – Approved January 2020.
- 3.23 2020/21956/CND - Application to discharge condition no. 3 (Internal Materials) on planning permission referenced 2017/18477/FUL and condition 7 on 2017/18478/LBC – Discharge of conditions satisfactory October 2020.
- 3.24 2019/21186/CND - Application to discharge condition no. 4 (Materials) on planning permission referenced 2017/18477/FUL granted 17 January 2018 – Discharged of conditions satisfactory January 2020.
- 3.25 2021/22766/LBC - Removal of later addition of timber board to original wall panelling to restore it to original form – Application Returned.
- 3.26 2021/23061/LBC - The installation of photovoltaic panel array to the existing south facing concert hall roof of the Town Hall, Skipton – Approved September 2021

- 3.27 2021/22940/LBC – Alterations to the external elevation of Skipton Town Hall including balustrade upgrades, contrasting step nosing, interpretive banners, new doors and new lighting – Not determined.
4. Planning Policy Background
- 4.1 Local Plan 2012 – 2032
- SD1 – The Presumption in Favour of Sustainable Development
 - SD2 – Meeting The Challenge of Climate Change
 - ENV2 – Heritage
 - ENV3 – Good Design
- 4.2 National Policy
- The National Planning Policy Framework
 - Planning Policy Guidance
- 4.3 Other relevant Legislation
- Planning (Listed Buildings and Conservation Areas) Act 1990
- 4.4 Other documents of relevance
- Historic England Advice in Planning Notes 1, 2 & 3
 - English Heritage: Conservation Principles.
 - Skipton Conservation Area Appraisal (2008)
5. Parish/Town Council Comments
- 5.1 Skipton Town Council: No comment currently.
6. Consultations
- 6.1 None
7. Representations
- Site Notice: Expired 28.7.2021
 - Press Notice: Expired 29.7.2021
- 7.1 2 notification letters circulated
- 7.2 No third-party representations received within the statutory consultation period.
8. Summary of Principal Planning Issues
- 8.1 The main issues that require consideration when determining this application area:
- Visual impact
 - Impact on the setting and significance of the listed building.
9. Analysis
- 9.1 **Design**
- 9.2 CDC Policy ENV3 seeks to ensure that developments make positive change, which benefits the local economy, environment and quality of life, including health and wellbeing.

- 9.3 The proposed enhancements reflect the advice given by Historic England and due to their scale, design and external finish would not result in any visual harm to the street scene or the wider character and appearance of the designated conservation area.
- 9.4 Similarly, the brass lettering is of a scale appropriate for its location on the principle elevation and the brass finish would be sympathetic to the stonework. The banner fixtures given their small-scale nature and location would also not have any adverse impact on the street scene or wider conservation area.
- 9.5 In conclusion, the proposal accords with the requirements of Policy ENV3 of the Local Plan.
- 9.6 **Impact of the proposal on the designated heritage assets.**
- 9.7 CDC Policy ENV2 recognises the importance of Craven's historic environment and indicates that developments will be supported where proposals do not result in any unacceptable harm to the heritage asset.
- 9.8 The NPPF also sets out how LPA should consider applications that impact on the historic environment.
- 9.9 Also of relevance is the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 which states that "In considering whether to grant planning permission for development which affects a listed building or its setting...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to preserve and enhance the character and appearance of Conservation Areas, as does policies 16 of the NPPF. Given the negligible changes proposed in this application the Conservation Area would be preserved.
- 9.10 Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including Grade II* listed buildings, should be wholly exceptional. Where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.11 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.12 The proposed development would involve the removal and replacement of unsympathetic later additions located to the main front elevation with more sympathetic elements. In addition, the proposal includes the fixings for information banners to be attached to the building.
- 9.13 The external appearance of the proposed elements has been chosen following advice from Historic England during pre-application discussions.
- 9.14 The proposed works with regards to the replacement/removal of unsympathetic features would be welcomed and would not result in any unacceptable loss of historical fabric nor would the proposal adversely impact on the setting or significance, rather the proposal would result in the entrance being more clearly seen, thereby enhancing the significance of the building.

- 9.15 The proposed lettering to the Town Hall entrance and banner fixtures are considered to be appropriate and would not result in any unacceptable loss of historical fabric or architectural detailing.
- 9.16 Any potential harm needs to be weighed against public benefits of the proposed development. In this case, it is considered that the public benefit would arise from the scheme in terms of the proposed enhancements resulting in an improvement to the setting of the listed building and an enhancement to the significance of the principle elevation of the Grade II listed building. In addition, the enhancements would not detract from the character and appearance of the surrounding conservation area, thus allowing the general public to appreciate the historical and architectural features of the building. Significant weight should be afforded to these benefits. As such, the public benefit outweighs the less than substantial harm to the heritage asset.
- 9.17 The proposal therefore complies with policy ENV2 of the Local Plan, the aims and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.
- 9.18 **Conclusion and Planning Balance**
- 9.19 Enhancements and has been informed by pre-application discussions involving English Heritage and the Local Planning Authority. The proposed replacements are acceptable and the removal of the unsympathetic elements to the main front entrance of the Town Hall would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.
- 9.20 The proposal is therefore considered to accord with the requirements of policies ENV2 and ENV3 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.
10. Recommendation
- 10.1 Approve with Conditions
- Conditions

Time Limit for Commencement

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 This permission relates to the following plans:

L(LBC)2008 FABRIC REPAIRS - ENTRANCE AREA
L(LBC)2008 FABRIC REPAIRS - NEW DOORS
L(LBC)2009 FABRIC REPAIRS - ENTRANCE AREA
L(LBC)2060 SITE PLAN
L(--)2061 LOCATION PLAN

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

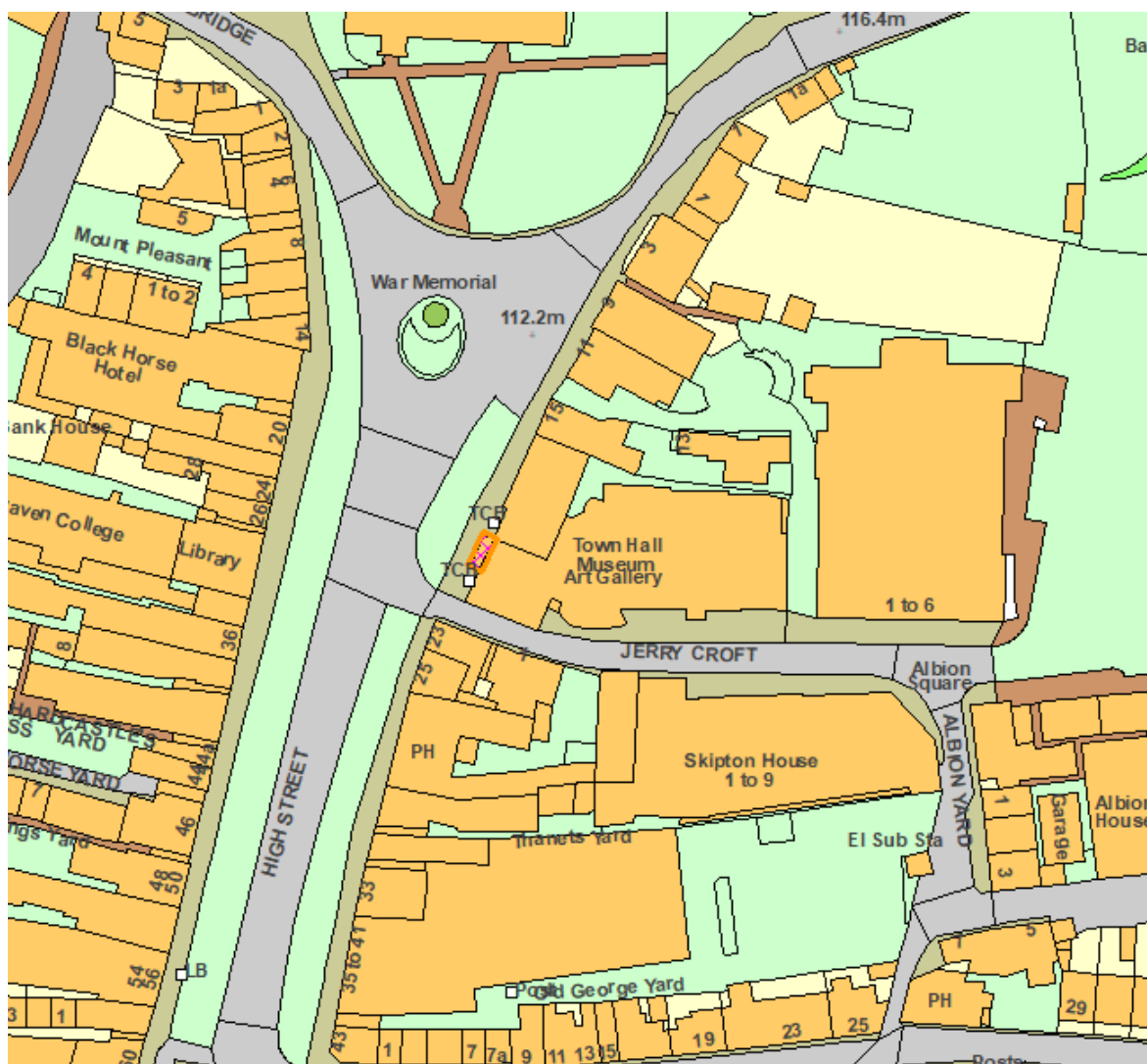
Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

2. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



Application Number: 2021/22939/FUL

Proposal: Alterations to the external elevation of Skipton Town Hall

Site Address: Town Hall High Street Skipton BD23 1AH

On behalf of: Craven District Council

REPORT TO PLANNING COMMITTEE ON 25th October 2021

Application Number: 2021/22940/LBC

Proposal: Alterations to the external elevation of Skipton Town Hall including balustrade upgrades, contrasting step nosings, interpretive banners, new doors and new lighting.

Site Address: Town Hall High Street Skipton BD23 1AH

On behalf of: Craven District Council

Date Registered: 2nd July 2021

Expiry Date: 27th August 2021

EOT Date, if applicable:

Case Officer: Andrea Muscroft

SUMMARY

Enhancements and has been informed by pre-application discussions involving English Heritage and the Local Planning Authority. The proposed replacements are acceptable and the removal of the unsympathetic elements to the main front entrance of the Town Hall would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.

The proposal is recommended for approval subject to conditions set out below.

1. Site Description

1.1 The application relates to the front elevation of Skipton Town Hall, a Grade II Listed building constructed in 1862. The main elevation fronting onto the High Street is particularly detailed, with columns and pilasters, moulded architraves to the windows, and arches to the entrance. The side elevation facing Jerry Croft has been the subject to several alterations with the construction of a disabled ramp, a single-storey extension and the demolition of a rear extension and the construction of a two-storey rear extension.

1.2 The site occupies a prominent position on the High Street in Skipton Town Centre.

1.3 The site is located within the designated conservation area of Skipton.

1.4 The High Street is subject to two Article 4 Directions which restrict: -

The erection or construction of gates, fences, walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic, or two metres high in any other case, and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure.

Development consisting of the painting of the exterior of any building or wall. "Painting" shall include any application of colour. "Wall" shall include reveals around doors, windows and other openings and include any porch, stairway or other projecting or recessed feature except for joinery, rainwater goods, lighting apparatus and advertisement signs.

2. Proposal

2.1 This report covers two applications seeking full planning permission (ref: 22939) and listed building consent (ref: 22940) for works to the external appearance of the building.

2.2 Works consist of the following:

Installation of 3no. External bronze framed glazed doors

Installation of 3no. Pendant external light fittings

Making good and installation of a new suspended ceiling to external area.

Removal and replacement of recessed letterbox with framing – (Brushed Brass)

Removal and replacement of handrails with 2no. Brushed brass handrails.

Removal of paint on external steps and the installation of solid brass tactile paving studs.

New Town Hall Sign

Fixtures for signage

2.3 Officer note: The applicant engaged with pre-application discussions with Historic England and the Local Planning Authority. The proposed works are based on the advice received from Historic England.

3. Planning History

3.1 5/63/1528 – Construction of chair store formed by covering part of rear yard area. Withdrawn 1988.

3.2 5/63/1558/LB – Improvements to stage dressing room. Approved 1988.

3.3 5/63/1528A/LB – Listed building consent for the construction of disabled access to side entrance comprising ramp, stone retaining wall with cast iron railing posts and rails painted black. Approved 1991.

3.4 63/2005/5931 – Internal alterations to the reception area. Approved 2006.

3.5 63/2006/6322 – Internal alterations to provide disabled access. Approved 2006.

3.6 63/2013/13734 – Change of use of main ground floor rooms fronting High Street to A1 Retail, A2 Financial & Professional Services, A3 Restaurants and Cafes and A4 Drinking Establishments – Refused 28th August 2013.

3.7 63/2014/14333 - Demolish unsafe lean-to, alter internal door and frame to suit the external location. Rebuild dwarf walls to accommodate concrete pad to give level access to the hall, install steel bollards and rails to give edge protection to level access. Approved May 2014.

3.8 63/2014/14532 - Listed Building Consent for the proposed demolition of the existing toilet block to South elevation of Skipton Town Hall complex on Jerry Croft to be replaced with a new accessible access entrance, toilets to the ground floor, internal lift and minor internal alterations – Approved July 2014.

- 3.9 63/2014/14530 - Proposed demolition of the existing toilet block to the south elevation of Skipton Town Hall complex on Jerry Croft to be replaced with new accessible access entrance, toilets to the ground floor, internal lift and minor internal alterations – Approved June 2014.
- 3.10 63/2014/14902 - Proposed change of use to A1, A3 and A4 retail, restaurant, cafe and drinking establishment – Approved 23rd September 2014.
- 3.11 63/2014/15012 – Listed building consent for internal works – Withdrawn October 2014.
- 3.12 63/2014/15083 - Internal and external alterations; application to clarify outstanding items relating to previous applications referenced 63/2014/14530 and 63/2014/14532 – Approved November 2014.
- 3.13 63/2014/15084 - Listed building consent for internal and external alterations; application to clarify outstanding items relating to previous applications referenced 63/2014/14530 and 63/2014/14532 – Approved November 2014.
- 3.14 63/2014/15311 - Application to discharge condition numbers 4, 5, 6, 7 and 10 of planning permission referenced 63/2014/14530 and condition numbers 3, 4, 5 and 6 of planning permission referenced 63/2014/1453 – Split decision February 2015.
- 3.15 63/2015/15516 - Application to discharge condition no's 4 and 5 of planning consent
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- 3.18 63/2015/15649 - Application for approval of conditions 4 & 5 of applications - 63/2014/14530 & 63/2014/14532 – Approved June 2015.
- 3.19 63/2016/17303 - Replace the concert hall windows from timber to aluminium and the layout of the external doors at the High Street entrance – Withdrawn October 2016.
- 3.20 2017/18477/FUL & 2017/18478/LBC - Partially demolish the existing building and build a new extension to the east of Concert Hall. Upgrading to roof and external walls of 1970's extension to the north. Internal reconfiguration of building and increase in roof height above the reception area. Removal of 1920's proscenium arch and fixed stage, reinstatement and repair of wall and ceiling decoration, alterations to lighting and heating systems. Installation of bleacher seating – Approved January 2018
- 3.21 2019/20174/CND - Application to discharge condition no's 3 (Concert Hall), 4 (Concert Hall), 5 (Art Deco) and 8 (Safety Barrier) of listed building consent referenced 2017/18478/LBC granted 17.01.2018 – Discharge of conditions satisfactory April 2019.
- 3.22 2019/21160/FUL - Roofing repairs to concert hall within town hall – Approved January 2020.
- 3.23 2020/21956/CND - Application to discharge condition no. 3 (Internal Materials) on planning permission referenced 2017/18477/FUL and condition 7 on 2017/18478/LBC – Discharge of conditions satisfactory October 2020.
- 3.24 2019/21186/CND - Application to discharge condition no. 4 (Materials) on planning permission referenced 2017/18477/FUL granted 17 January 2018 – Discharged of conditions satisfactory January 2020.
- 3.25 2021/22766/LBC - Removal of later addition of timber board to original wall panelling to restore it to original form – Application Returned.

- 3.26 2021/23061/LBC - The installation of photovoltaic panel array to the existing south-facing concert hall roof of the Town Hall, Skipton – Approved September 2021
- 3.27 2021/22939/FUL – Alterations to the external elevation of Skipton Town Hall – Not determined.
- 4. Planning Policy Background
 - 4.1 Local Plan 2012 – 2032
 - SD1 – The Presumption in Favour of Sustainable Development
 - SD2 – Meeting The Challenge of Climate Change
 - ENV2 – Heritage
 - ENV3 – Good Design
 - 4.2 National Policy
 - The National Planning Policy Framework
 - Planning Policy Guidance
 - 4.3 Other relevant Legislation
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - 4.4 Other documents of relevance
 - Historic England Advice in Planning Notes 1, 2 & 3
 - English Heritage: Conservation Principles.
 - Skipton Conservation Area Appraisal (2008)
- 5. Parish/Town Council Comments
 - 5.1 Skipton Town Council: No comment currently.
- 6. Consultations
 - 6.1 None
- 7. Representations
 - Site Notice: Expired 28.7.2021
 - Press Notice: Expired 29.7.2021
 - 7.1 2 notification letters circulated
 - 7.2 No third-party representations were received within the statutory consultation period.
- 8. Summary of Principal Planning Issues
 - 8.1 The main issues that require consideration when determining this application area:
 - Visual impact
 - Impact on the setting and significance of the listed building.
- 9. Analysis
 - 9.1 **Design**
 - 9.2 CDC Policy ENV3 seeks to ensure that developments make positive change, which benefits the local economy, environment and quality of life, including health and wellbeing.

- 9.3 The proposed enhancements reflect the advice given by Historic England and due to their scale, design and external finish would not result in any visual harm to the street scene or the wider character and appearance of the designated conservation area.
- 9.4 Similarly, the brass lettering is of a scale appropriate for its location on the principle elevation and the brass finish would be sympathetic to the stonework. The banner fixtures given their small-scale nature and location would also not have any adverse impact on the street scene or wider conservation area.
- 9.5 In conclusion, the proposal accords with the requirements of Policy ENV3 of the Local Plan.
- 9.6 **Impact of the proposal on the designated heritage assets.**
- 9.7 CDC Policy ENV2 recognises the importance of Craven's historic environment and indicates that developments will be supported where proposals do not result in any unacceptable harm to the heritage asset.
- 9.8 The NPPF also sets out how LPA should consider applications that impact on the historic environment.
- 9.9 Also of relevance is the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 which states that "In considering whether to grant planning permission for development which affects a listed building or its setting...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to preserve and enhance the character and appearance of Conservation Areas, as does policies 16 of the NPPF. Given the negligible changes proposed in this application, the Conservation Area would be preserved.
- 9.10 Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including Grade II* listed buildings, should be wholly exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.11 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.12 The proposed development would involve the removal and replacement of unsympathetic later additions located to the main front elevation with more sympathetic elements. In addition, the proposal includes the fixings for information banners to be attached to the building.
- 9.13 The external appearance of the proposed elements has been chosen following advice from Historic England during pre-application discussions.
- 9.14 The proposed works with regards to the replacement/removal of unsympathetic features would be welcomed and would not result in an unacceptable loss of historical fabric nor would the proposal adversely impact on the setting or significance, rather the proposal would result in the entrance being more clearly seen, thereby enhancing the significance of the building.

- 9.15 The proposed lettering to the Town Hall entrance and banner fixtures are considered to be appropriate and would not result in an unacceptable loss of historical fabric or architectural detailing.
- 9.16 Any potential harm needs to be weighed against the public benefits of the proposed development. In this case, it is considered that the public benefit would arise from the scheme in terms of the proposed enhancements resulting in an improvement to the setting of the listed building and an enhancement to the significance of the principle elevation of the Grade II listed building. In addition, the enhancements would not detract from the character and appearance of the surrounding conservation area, thus allowing the general public to appreciate the historical and architectural features of the building. Significant weight should be afforded to these benefits. As such, the public benefit outweighs the less than substantial harm to the heritage asset.
- 9.17 The proposal, therefore, complies with policy ENV2 of the Local Plan, the aims and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.
- 9.18 **Conclusion and Planning Balance**
- 9.19 Enhancements and has been informed by pre-application discussions involving English Heritage and the Local Planning Authority. The proposed replacements are acceptable and the removal of the unsympathetic elements to the main front entrance of the Town Hall would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or a negative impact on the character and appearance of the conservation area.
- 9.20 The proposal is therefore considered to accord with the requirements of policies ENV2 and ENV3 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.
10. Recommendation
- 10.1 Approve with Conditions
- Conditions

Time Limit for Commencement

- 1 The works hereby granted shall be begun before the expiration of three years from the date of this consent.
- Reason - As required by Section 18 of the Planning (Listed Buildings and Conservation Areas Act) 1990, to avoid the accumulation of consents.

Approved Plans

- 2 This permission relates to the following plans:
- L(LBC)2008 FABRIC REPAIRS - ENTRANCE AREA
 L(LBC)2008 FABRIC REPAIRS - NEW DOORS
 L(LBC)2009 FABRIC REPAIRS - ENTRANCE AREA
 L(LBC)2060 SITE PLAN
 L(--)2061 LOCATION PLAN

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

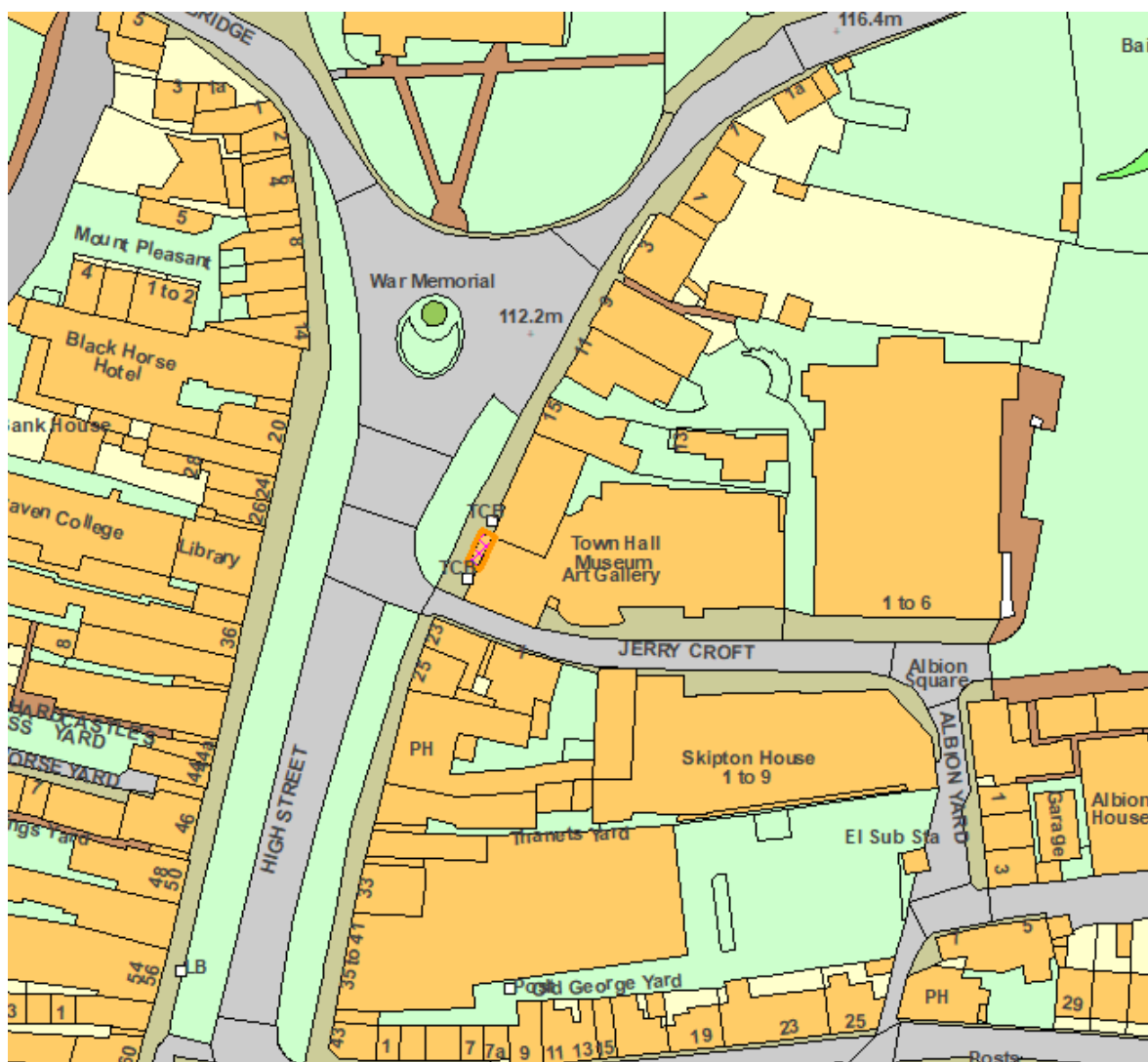
During Building Works

- 3 All new works following the installation of the banner fixtures and brass tactile paving studs, shall be finished to match the historic work with regard to the methods used and to colour, material, texture.

Reason - In order to safeguard the special architectural or historic interest and heritage significance of the stone setts and comply with policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

- 4 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans unless agreed in writing with the Local Planning Authority and retain as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Craven Local Plan Policy ENV3 and the National Planning Policy Framework.



Application Number: 2021/22940/LBC

Proposal: Alterations to the external elevation of Skipton Town Hall including balustrade upgrades, contrasting step nosings, interpretive banners, new doors and new lighting.

Site Address: Town Hall High Street Skipton BD23 1AH

On behalf of: Craven District Council

REPORT TO PLANNING COMMITTEE ON 25th October 2021

Application Number: 2021/23261/FUL

Proposal: Construction of a new exit drive from Waltonwrays Cemetery to Carleton Road, for use of funeral vehicles exiting the Cemetery

Site Address: The Chapel Waltonwrays Cemetery Carleton Road Skipton

On behalf of: Craven District Council

Date Registered: 1st September 2021

Expiry Date: 27th October 2021

EOT Date, if applicable:

Case Officer: Andrea Muscroft

SUMMARY

Members will recall that the original application which included two separate elements consisting of a single-storey extension and new improved access was reported to Planning Committee on the 7th June 2021 (ref: 2021/22669/FUL). After discussions, it was agreed that the applicant would seek further clarification from the Highways Authority concerning the introduction of a speed limit of 30mp on that part of the Carleton Road proximate to the crematorium and that the Highway Authority consider the Committee's suggestion that there should be a left turn only on egress from the proposed new exit onto the highway.

The Highways Authority has advised that the 30mph signs on Carleton Road will be repositioned to include the approved development within the surrounding area and the crematorium. No timescale has been provided as these works are linked to ongoing works linked to a previously approved development. Furthermore, the system of streetlights would automatically make it a 30mph speed limit. With regards to the suggestion of no right-hand turn it is considered that this is not warranted due to new access being located within the 30mph speed limit.

The proposal would see the construction of a new exit drive onto Carleton Road.

It is acknowledged that some visual impacts would occur, however, the proposal would not result in any harm to any unacceptable visual harm, adversely impact on neighbouring properties or have an adverse impact on highway safety.

Therefore, on planning balance, the potential harm in terms of visual do not out weight the benefits arising from the proposal.

1. Site Description

- 1.1 The application relates to the Crematorium Chapel located off Carleton Road, approx. 1m south-west of Skipton town centre. Located within the surrounding area is the Remembrance Chapel, a Lodge, and the Garden of Remembrance.

- 1.2 The site is relatively flat with tree-lined driveways linking buildings, structures, and memorials. The boundaries around the site consist of low height stone walls with elaborate cast-iron railing on either side of the main gates into the cemetery together with mid-height stone walls along the northern, southern, and western boundaries of the site.
- 1.3 The application site lies in the open countryside and within the conservation area of Skipton defined by the Local Plan.
2. Proposal
 - 2.1 The proposal is seeking full planning permission for the construction of a new exit drive.
 - 2.2 The proposal would involve the removal of a section of the boundary wall and the lowering of the existing footway to form a new dropped crossing.
3. Planning History
 - 3.1 2020/00707/PREAPP - Crematorium extension – Observations provided January 2021
 - 3.2 2021/22669/FUL - Construction a glass and timbered 20 sqm extension to the entrance of Skipton Crematorium and the construction of a new exit – Deferred by Planning Committee to address design concerns relating to the extension and to seek clarification from the Highway Authority with regards to a 30mph speed limit and a no right-hand turn.
4. Planning Policy Background
 - 4.1 Craven Local Plan
 - SD1: The presumption in favour of sustainable development
 - SD2: Meeting the challenge of climate change
 - ENV1: Countryside and Landscaping
 - ENV2: Heritage
 - ENV3: Good design
 - 4.2 National Policy
 - The National Planning Policy Framework
 - Planning Practice Guidance
 - 4.3 Other documents of relevance
 - Skipton Conservation Area Appraisal.
5. Parish/Town Council Comments
 - 5.1 Skipton Town Council: Recommend that the proposed reduced speed limit is put into effect before the new exit is opened.
6. Consultations
 - 6.1 Independent Heritage Consultant: The proposed new vehicular egress onto Carlton Road would result in the loss of a section of the original stone boundary wall. Notwithstanding this, this harm is low level and would be categorised as 'less than substantial'.
 - 6.2 The proposal would provide benefits in the terms of improving highway safety.
 - 6.3 However, to reduce this low-level harm further it is suggested that the proposed newly exposed ends of the wall should be terminated with piers of a suitable design and that any new stonework is pointed with lime base mortar.
 - 6.4 The vehicular access on balance is acceptable, but for reasons set out above it is suggested that the proposal incorporates appropriately designed stone piers at the terminations of the walls.
 - 6.5 NYCC Highways Officer: No objection subject to conditions

- 6.6 Comments can be viewed in full via the link below:
- 6.7 <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
7. Representations
- 7.1 Site Notice Posted: 28.9.2021
- 7.2 Press Notice Published: 30.9.2021
- 7.3 1 notification letters circulated to neighbouring properties.
- 7.4 No third-party representation was received within the statutory consultation period.
8. Summary of Principal Planning Issues
- Principle
- Visual impact of development
- Highway issues
9. Analysis
- Principle of development**
- 9.1 The proposed development lies within an area as defined as open space, Civic Space, Sport, and recreation facilities in the adopted Local Plan.
- 9.2 The proposed new vehicle access is required to enable the implementation of a one-way system that would help provide a safe and suitable access into and from the Crematorium.
- 9.3 It is therefore considered that the proposal as it would result in an improvement to an existing open space meets the requirements of Policy INF3 of the Local Plan.
- 9.4 In conclusion, the principle of this development is considered acceptable subject to meeting the requirements of all other relevant policies.
- Visual impact of development on heritage assets**
- 9.5 Policy ENV2 seeks to ensure that proposals do not adversely impact on designated heritage assets. The policy also seeks to conserve non-designated heritage assets.
- 9.6 Policy ENV3 seeks to ensure that proposals make a positive change.
- 9.7 The site fronts onto Carleton Road with grazing and modern suburban dwellings beyond.
- 9.8 The main impact on the character of the area results in the removal of a section of the boundary wall (approx. 4.5m). However, this impact is limited with localised impacts mitigated in part through the re-use of existing materials and an appropriate design.
- 9.9 The Council's Independent advisor has acknowledged that the proposal would result in '*less than substantial harm*' to the conservation area and thus has not objected to the proposal. It is acknowledged that he has suggested potential improvements to the terminations of the wall. The suggestion has been incorporated in the design of the proposal. With regards to the comments relating to the use of class 2 mortar should the proposal be granted planning permission a condition requiring the use of lime mortar would be imposed.
- 9.10 In this instance, it is considered that on balance the proposed public benefits outweigh any potential harm.
- 9.11 In conclusion, the proposal is considered to comply with the requirements of Policy ENV2 and ENV3 and the NPPF.
- Sustainable design and construction**
- 9.12 Policy ENV3 seeks to incorporate sustainability being designed into developments.

- 9.13 The nature of the proposal is such that the sustainable design and construction requirements of Policy ENV3 are not relevant. However, the proposal will reuse materials where possible.
- 9.14 In conclusion, the proposal is considered to comply with the requirements of Policy ENV3 of the Local Plan.

Impact on neighbouring amenity

- 9.15 Policy ENV3 seeks to ensure that development does not have an adverse impact on neighbouring residents.
- 9.16 Given the proposal's location there would be no adverse impact arising from the new vehicular access with regards to amenity or privacy of nearby residents located beyond Carleton Road on Willow Way.
- 9.17 In conclusion, the proposal is considered to comply with the requirements of Policy ENV3 of the Local Plan.

Highway issues

- 9.18 Policy INF4 seeks to reduce conflict between road users by ensuring proper provision and management of parking for cars and other vehicles.
- 9.19 The proposal would not make any changes to the existing parking arrangements which are managed by the Council.
- 9.20 The proposal would result in the creation of a new vehicle access off Carleton Road. The new access would enable the implementation of a one-way system which would help improve vehicle and pedestrian safety. It is also acknowledged that the development may result in a potential increase in vehicle movements, however, it is not considered that any potential increase would be so significant to have an adverse impact on highway safety. NYCC Highways have been consulted and have not raised any objections to the proposal on highway safety grounds.
- 9.21 The proposal would result in the loss of one staff parking space. However, the manager of the crematorium has confirmed that there is sufficient staff parking available to the rear of the crematorium.
- 9.22 In conclusion, it is considered that the proposal complies with policies INF4 and INF7 and the NPPF.
- 9.23 Planning Committee Members previously enquired about the introduction/time scale of a 30mph speed limit to be imposed on Carleton Road and the possibility of a no right turn been imposed.
- 9.24 It is important to note that The Highways Agency and Local Traffic Authorities are responsible for determining speed limits on the highway network under the Traffic Management Act 2004. Therefore, this is outside of the scope of planning as it is a matter that would be dealt with under separate legislation.
- 9.25 Notwithstanding this, the Highways Authority have advised that the introduction of a 30mph limit has been programmed in for Carleton Road and will be in force later this year as it is linked to a development currently being implemented. The change in speed limit will also come into force on the installation of streetlights on Carleton Road.
- 9.26 Similarly, the suggested no right-hand turn would also be determined by the Highways Authority under the Traffic Management Act 2004. The Highways Authority consider that due to the proposed changes to the speed limit on Carleton Road that this is not a necessary requirement with regards to highway safety.
- 9.27 Since the mechanism for the controlling of vehicles over a public highway is dealt with via separate legislation it would not be appropriate for a planning condition as planning conditions must relate to planning objectives and be within the scope of the permission. Conditions must not be used to control matters that are subject to other primary legislation such as the highway act. Therefore, as set out above to seek to impose such a condition would fail to meet the six tests as set out within the NPPF.

9.28 **Conclusion**

- 9.29 Paragraph 11 of the NPPF advises LPAs to approve developments that accord with the development plan without delay; unless
- 9.30 Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or
- 9.31 Specific policies in this Framework indicate development should be restricted.
- 9.32 The proposal would see the creation of a new vehicle access which is needed to meet the needs of the users and to help maintain the crematorium's long-term use.
- 9.33 The works would not impact on the users of the crematorium during the construction stage.
- 9.34 It is acknowledged that some visual impacts would occur, however, the proposal would not result in any harm to any neighbouring properties or have an adverse impact on highway safety.
- 9.35 Therefore, on planning balance the potential harm in terms of visual impact do not outweigh the benefits arising from the proposal.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 This permission relates to the following plans and documents:

D03A Elevation of New entrance
D01C Scheme Drawing of new exit
D02 Site and Location Plan
Heritage Statement

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the materials used on the external surfaces of the extensions shall be those as detailed on the application form and approved plans and retain as such thereafter.

Reason: In order to ensure a satisfactory relationship with the character of the Chapel in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

- 4 There must be no access or egress by any vehicles between the highway and the application site at The Chapel, Waltonwrays Cemetery, Carleton Road, Skipton until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

Informative: An explanation of the terms used above is available from the Local Highway Authority.

- 5 The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E50 and the following requirements.

Any gates or barriers must be erected IN LINE WITH THE EXISTING WALL AND BOUNDARY and must not be able to swing over the existing or proposed highway.
The final surfacing of any private access within 3 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users and to accord with the guidance contained within the National Planning Policy Framework

- 6 The mortar to be used in the reconstruction of the hereby approved access shall be a lime mortar and not cement mortar.

Reason: In the interest of visual amenity and to accord with Policy ENV3 of the Craven Local Plan.

Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

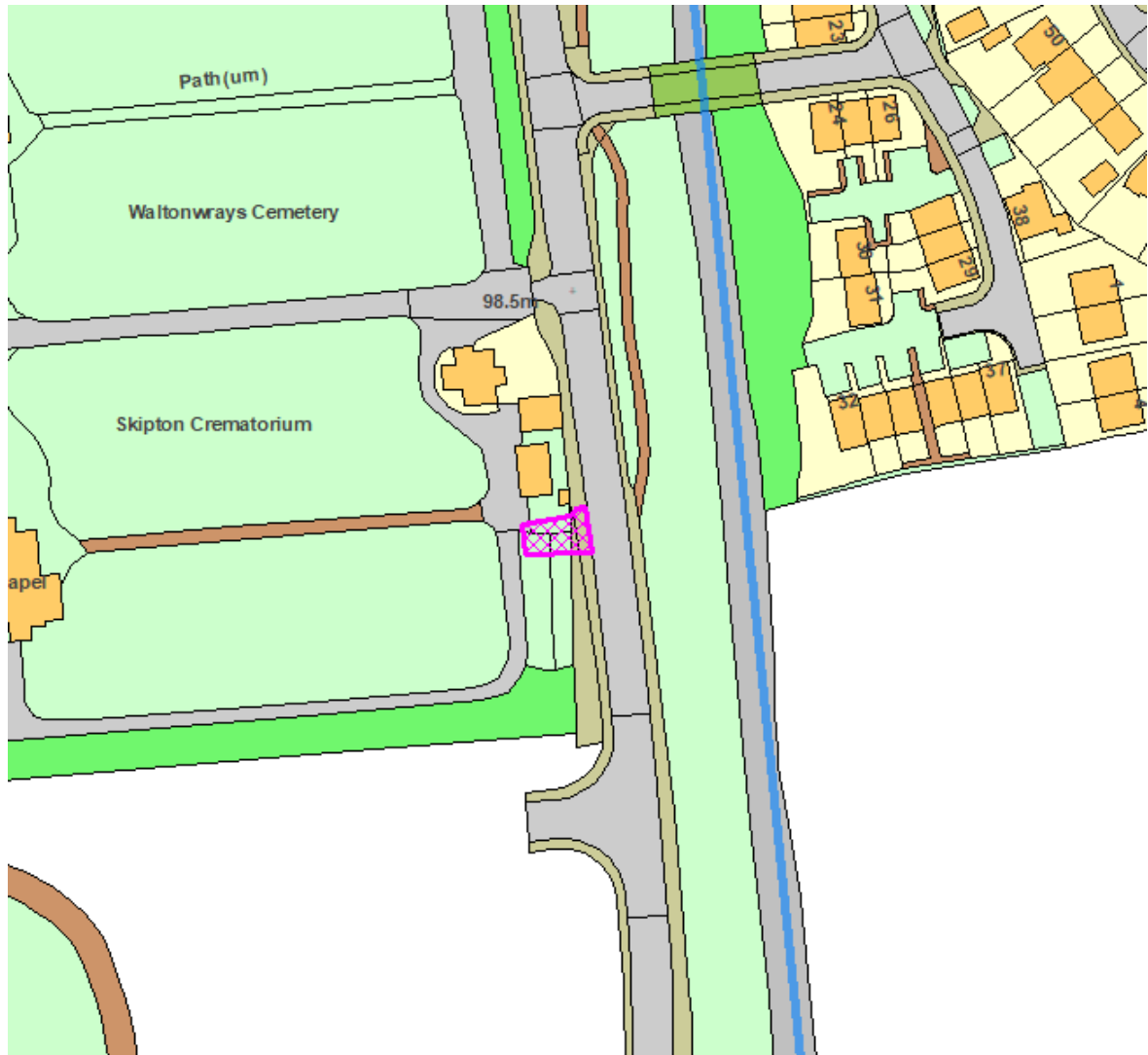
2. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification for housing and est roads street works 2nd edi.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20estate%20roads%20and%20private%20streets%20works%202nd%20edition.pdf).

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

3. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



Application Number: 2021/23261/FUL

Proposal: Construction of a new exit drive from Waltonwrays Cemetery to Carleton Road, for use of funeral vehicles exiting the Cemetery

Site Address: The Chapel Waltonwrays Cemetery Carleton Road Skipton

On behalf of: Craven District Council



Planning Enforcement
Craven District Council
1 Belle Vue Square
Broughton Road
SKIPTON
North Yorkshire
BD23 1FJ
Telephone: 01756 706254

Planning Committee Report of Cases Closed **For Period 17-09-2021 to 13-10-2021**

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2230/2015	21st September 2015	24th September 2021	Lawful Over Time	Unauthorised widening of gateway onto A65	Daleswear Ltd Dales Business Park New Road Ingleton Carnforth North Yorkshire LA6 3HL	
2343/2016	6th April 2016	24th September 2021	Breach Resolved	Development on land adjoining development site approved by planning application 22/2015/16431	Land Off Acre Road Cowling Keighley North Yorkshire BD22 0FN	
2374/2016	11th May 2016	20th September 2021	Not Expedient to Enforce	CONSTRUCTION OF MENAGE AND FENCING IN BREACH OF PLANNING PERMISSION 8/2006/16641	The Wenning Mewith Lane Low Bentham Lancaster North Yorkshire LA2 7LS	
2400/2016	15th June 2016	20th September 2021	Consent granted / Permitted development	Alleged works to listed building	Hill Top Coniston Cold Skipton North Yorkshire BD23 4EA	Gargrave And Malhamdale

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2412/2016	27th June 2016	20th September 2021	Breach Resolved	Using unit as gym/ for personal training classes without relevant permission	Unit 3C Industrial Estate The Sidings Settle North Yorkshire BD24 9RP	
2455/2016	2nd September 2016	20th September 2021	Retrospective Planning	Chalet sited not in accordance with approval 08/2016/16863	Toll Bar Gardens Wennington Road Low Bentham Lancaster North Yorkshire LA2 7DD	
2466/2016	9th September 2016	20th September 2021	Breach Resolved	Is new house under construction larger than approved plans45/2015/15978 (Tom Brown's new house)	Panwell Cottage Back Gate Ingleton Carnforth North Yorkshire LA6 3BJ	
2473/2016	15th September 2016	17th September 2021	Not Expedient to Enforce	Development not in accordance with approved plans	12 Sandholme Close Settle North Yorkshire BD24 0AF	
2493/2016	18th October 2016	20th September 2021	No Breach	1) Is development in accordance with 08/2016/17122 & 08/2015/15743 (2) blocking of public right of way	Land South Of Ravens Close Brow Low Bentham Lancaster North Yorkshire LA2 7EU	
2509/2016	31st October 2016	17th September 2021	Breach Resolved	UPVC windows in Listed building.	6 Constitution Hill Settle North Yorkshire BD24 9ER	

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2504/2016	15th November 2016	17th September 2021	Enforcement Appeal Allowed	New building in open countryside.	Willow Tree Austwick Lancaster LA2 8AH	Ingleton And Clapham
2519/2016	5th December 2016	20th September 2021	Not Expedient to Enforce	(1) Unauthorised felling/lopping of trees (2) storage of soil around bases of Trees subject to TPO No 244 (2016)	Toll Bar Gardens County Boundary To Mill Lane Low Bentham Lancaster North Yorkshire LA2 7DD	
2525/2016	13th December 2016	17th September 2021	Breach Resolved	Concern over ground levels and drainage system.	5 Hepworth Way Skipton North Yorkshire BD23 2UH	
2566/2017	8th February 2017	20th September 2021	No Breach	Have footpaths been constructed in accordance with planning approvals 22/2015/15767 & 22/2016/16564.	Land Off Dick Lane Cowling Keighley North Yorkshire BD22 0JY	
2579/2017	8th February 2017	20th September 2021	No Breach	Unauthorised advertisement for Regal Interiors. Previous complaints 1420/2012 & 2294/2016.	Riparian Way & A629 Bypass/Roundabout Cross Hills Keighley North Yorkshire BD20 7BW	
2577/2017	21st February 2017	20th September 2021	Breach Resolved	Removal of dry stone wall & unauthorised works in root protection zone of trees protected by TPO No 244 (2016).	Land Opposite To Toll Bar Gardens Low Bentham Lancaster North Yorkshire LA2 7DD	

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2599/2017	16th March 2017	20th September 2021	Not Expedient to Enforce	Recycling of materials that are not authorised	Greens Of Skipton Ltd Ings Lane Skipton North Yorkshire BD23 1TX	
2604/2017	27th March 2017	20th September 2021	Breach Resolved	Land appears to have been sold off to Farthing Cottage (No 58), therefore condition 4 of planning apps 45/2001/1755 & 45/2001/1776 has been breached.	The Old Court House 56 High Street Ingleton Carnforth LA6 3AH	Ingleton And Clapham
2618/2017	10th April 2017	20th September 2021	Retrospective Planning	(1) Painting windows & doors of a listed building without consent. (2) UPVC windows in Listed Building	Royal Shepherd Inn Canal Street Skipton BD23 1LB	Skipton North
2650/2017	12th April 2017	20th September 2021	Not Expedient to Enforce	a) excavations (on site where 2 no. horse boxes park) b) Extension of stables site c) Untidy land	The Stables Low Woodside Cononley Keighley North Yorkshire BD20 8PE	
2632/2017	21st April 2017	17th September 2021	No Breach	Extended café with larger service area.	Car And Kitchen Market Place Settle BD24 9EF	Settle And Ribble Banks
2654/2017	16th May 2017	17th September 2021	Breach Resolved	Overgrown Garden	24 Nan Scar Main Street Ickornshaw Keighley North Yorkshire BD22 0DL	Cowling

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02660/2017	26th May 2017	17th September 2021	Consent granted / Permitted development	Unauthorised building of a large timber summerhouse.	1 Ivy House Cottages South Street Gargrave Skipton BD23 3RT	Gargrave And Malhamdale
ENF/02659/2017	30th May 2017	17th September 2021	Not Expedient to Enforce	Erection of decking & summerhouse.	2 Cam Lane Thornton In Craven Skipton North Yorkshire BD23 3SX	West Craven
ENF/02658/2017	30th May 2017	17th September 2021	Lawful Over Time	Breach of condition 2 of 66/2006/6266 - buildings not demolished	Brig Gate Farm Ellers Road Sutton-in-craven Keighley BD20 7BL	Sutton-in-Craven
ENF/02695/2017	8th July 2017	17th September 2021	No Breach	Unauthorised removal of retaining wall. Excavations in field behind.	16 Main Street Ickornshaw Keighley BD22 0DH	Cowling
ENF/02690/2017	13th July 2017	17th September 2021	Consent granted / Permitted development	Fence at rear measuring 2.31 metres.	25 Heath Crescent Low Bradley Keighley BD20 9EP	Aire Valley With Lothersdale
ENF/02701/2017	25th July 2017	24th September 2021	Breach Resolved	Widened pedestrian access at Hellifield Social Club, contrary to Condition 7 of 42/2015/16308	Hellifield Social Club Gisburn Road Hellifield Skipton BD23 4HU	Hellifield And Long Preston

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02706/2017	28th July 2017	17th September 2021	No Breach	Unauthorised tarmacadaming of a public bridleway.	Bridleway From Newton Grange Towards East Marton Skipton BD23 3NT	Gargrave And Malhamdale
ENF/02707/2017	1st August 2017	17th September 2021	Not Expedient to Enforce	New stone does not match existing as per planning application 28/2016/16845	Airedale House Skipton Road Farnhill Keighley BD20 9BT	Aire Valley With Lothersdale
ENF/02720/2017	7th August 2017	24th September 2021	No Breach	Use of agricultural building (11/2013/14115) for vehicle repairs - follow on from 2408/2016	Land To The Rear Of 4 Lane Top Jacksons Lane Low Bradley Keighley BD20 9HG	Aire Valley With Lothersdale
ENF/02727/2017	1st September 2017	20th September 2021	No Breach	'Road' being created to caravans in field	Field Between Mill Pond And River Langcliffe Settle BD24 9LX	Settle And Ribble Banks
ENF/02748/2017	21st September 2017	20th September 2021	Not Expedient to Enforce	Development not in accordance with approved plans 66/2016/17653 - Pre commencement conditions not discharged	The Balgray West Lane Sutton-in-craven Keighley BD20 7AS	Sutton-in-Craven

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02810/2018	1st February 2018	24th September 2021	Breach Resolved	Unauthorised removal of 2 no. stone hoods over 2 no. doors on Grade II Listed Building.	13 Craven Court High Street Skipton BD23 1DG	Skipton North
ENF/02839/2018	29th March 2018	20th September 2021	No Breach	Extended the development out beyond the approved red outline- Application Ref: 62/2016/17323.	Plots 16 And 17 Brockhole View Settle BD24 9RF	Settle And Ribble Banks
ENF/02960/2018	14th November 2018	17th September 2021	Breach Resolved	Engineering works in garden & windows not in accordance with 2017/18469/HH.	1 Moorber Croft Moorber Lane Coniston Cold Skipton BD23 4EF	Gargrave And Malhamdale
ENF/03019/2019	5th March 2019	20th September 2021	Not Expedient to Enforce	Alleged unauthorised pedestrian access created onto Raikes Road from Plot 4	Land Bounded By A65 White Hills Lane And Raikes Road Skipton North Yorkshire	Skipton North
ENF/03049/2019	2nd April 2019	17th September 2021	Not Expedient to Enforce	Conditions 4, 5 and 6 not discharged prior to commencement	Bottom Barn Manor Farm Nappa Skipton BD23 4LT	Hellifield And Long Preston
ENF/03053/2019	11th April 2019	20th September 2021	No Breach	Untidy land adjacent	The Old Rectory West Marton Skipton BD23 3JJ	West Craven

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03056/2019	11th April 2019	20th September 2021	No Breach	Unauthorised use of land as caravan site	Lodge Barn Langcliffe Road To Langcliffe Place Caravan Park Langcliffe Settle BD24 9LT	Settle And Ribble Banks
ENF/03059/2019	25th April 2019	20th September 2021	No Breach	Alleged breach of Condition 4 of 22/2012/12621 (Agricultural Occupancy)	Middle House Farm Park Lane Cowling Keighley BD22 0NH	Cowling
ENF/03072/2019	14th May 2019	20th September 2021	Not Expedient to Enforce	Obstruction to Public Right of Way.	Stone Gappe Hall Stansfield Bridge To Babyhouse Lane Lothersdale Keighley BD20 8EE	Aire Valley With Lothersdale
ENF/03079/2019	21st May 2019	20th September 2021	Not Expedient to Enforce	Gravel entering the highway.	Park Meadow Park Lane Cowling Keighley BD22 0NH	Cowling
ENF/03091/2019	5th June 2019	20th September 2021	Not Expedient to Enforce	Alleged unauthorised erection of 'razor wire' fence.	Haw Park House Cross Bank To Low Skibeden Skipton BD23 6AB	Skipton North

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03100/2019	21st June 2019	20th September 2021	Breach Resolved	Dry stone wall not constructed in breach of C22 of 2017/18340/FUL	Land At Corner Field To The North Of A6131/Harrogate Road Skipton	Skipton North
ENF/03105/2019	27th June 2019	17th September 2021	No Breach	Alleged unauthorised car repair business from residential property	6 Ribblesdale Estate Long Preston Skipton BD23 4RD	Hellifield And Long Preston
ENF/03122/2019	9th July 2019	20th September 2021	Not Expedient to Enforce	1)Alleged removal of pavement 2) Dirt/materials causing untidy road	Site Of Former St. Monica's Convent Raikes Road Skipton	Skipton North
ENF/03116/2019	16th July 2019	20th September 2021	Consent granted / Permitted development	Alleged significant change to roof structure.	Low House Farm The Croft Draughton Skipton BD23 6DZ	Barden Fell
ENF/03160/2019	24th September 2019	20th September 2021	Not Expedient to Enforce	1) Mud from site being brought onto the highway 2) Large heavy goods vehicles using Shires Lane	Land Off Shires Lane Embsay Skipton BD23 6RR	Embsay-with-Eastby
ENF/03162/2019	24th September 2019	17th September 2021	Not Expedient to Enforce	Alleged untidy land	12 Moorview Road Skipton BD23 2SB	Skipton South
ENF/03169/2019	9th October 2019	17th September 2021	Not Expedient to Enforce	Alleged unauthorised UPVC window installed in Listed Building.	12/12A Craven Court High Street Skipton BD23 1DG	Skipton North

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03179/2019	31st October 2019	17th September 2021	Consent granted / Permitted development	1) Alleged parking of site operatives/visitors not within site compound as stated in CMS for planning approval 2018/18965/FUL. 2) Is the development being built in accordance with the approved plans (concrete blocks adjacent to PROW). 3) Drainage not in accordance?	Land North Of Kings Mill Lane (Former NYCC Depot) Settle	Settle And Ribble Banks
ENF/03185/2019	8th November 2019	17th September 2021	Consent granted / Permitted development	Alleged unauthorised installation of storage container and associated hard standing due to lapse of planning approval 2017/18448/FUL	Grasmere House College Road Bradley Keighley BD20 9DT	Aire Valley With Lothersdale
ENF/03193/2019	4th December 2019	17th September 2021	No Breach	Bathroom window not obscured as per Dwg No 8 of 2017/18821/FUL	Loen Croft Road Ingleton Carnforth LA6 3BZ	Ingleton And Clapham
ENF/03196/2019	9th December 2019	17th September 2021	No Breach	Alleged starting of works prior to discharge of conditions 3 and 4 of planning approval ref: 2018/19285/LBC.	Glusburn Institute Institute Street Glusburn Keighley BD20 8PR	Glusburn

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03199/2020	6th January 2020	17th September 2021	Not Expedient to Enforce	1) Alleged untidy land with outbuildings, machinery etc. 2) Alleged half built raised platform which could potentially turn into a garage.	Jubilee Cross Greenfoot Lane Low Bentham Lancaster LA2 7EQ	Bentham
ENF/03202/2020	10th January 2020	17th September 2021	Consent granted / Permitted development	1) Alleged unauthorised caravan 2) Alleged residential curtilage has been extended beyond that approved 3) Alleged unauthorised works to north of caravan on site. 4) House not built in accordance with approved plans.	Hesley Cottage Old Oliver Lane Rathmell Settle BD24 0LP	Settle And Ribble Banks
ENF/03210/2020	29th January 2020	17th September 2021	No Breach	Extension allegedly larger than approved plans	13 South View Farnhill Keighley BD20 9AZ	Aire Valley With Lothersdale
ENF/03240/2020	14th April 2020	17th September 2021	Not Expedient to Enforce	Alleged unauthorised decking in rear garden.	33 Harper Grove Sutton-in-Craven Keighley BD20 7JN	Sutton-in-Craven
ENF/03245/2020	17th April 2020	17th September 2021	Consent granted / Permitted development	Alleged unauthorised ground works taking place adjacent to listed building	East Lodge Stainton Hall To Gledstone Hall West Marton Skipton BD23 3JL	West Craven

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03249/2020	12th May 2020	17th September 2021	Not Expedient to Enforce	Alleged unauthorised extension and construction of patio.	15 Airedale Ings Cononley Keighley BD20 8LF	Aire Valley With Lothersdale
ENF/03265/2020	15th June 2020	17th September 2021	No Breach	Alleged development not in accordance with approved plans	1 Raikeswood Drive Skipton BD23 1NA	Skipton North
ENF/03271/2020	30th June 2020	17th September 2021	No Breach	Alleged large amount of excavation and soil movement	Souber Dairy Bank Newton Skipton BD23 3NT	Gargrave And Malhamdale
ENF/03289/2020	6th August 2020	17th September 2021	Retrospective Planning	Alleged demolition and rebuild of stable block	Stable Block High View Windle Lane Cononley Keighley BD20 8JX	Aire Valley With Lothersdale
ENF/03292/2020	7th August 2020	17th September 2021	Not Expedient to Enforce	Alleged unauthorised removal of agricultural hedge and doubling the width of the farm track.	Longber Farm Longber Lane Burton In Lonsdale Ingleton LA6 3LA	Bentham
ENF/03296/2020	17th August 2020	20th September 2021	Consent granted / Permitted development	Alleged unauthorised creation of access track in agricultural field	Field Adjacent To Well Head Farm Cowling BD22 0NH	Cowling

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03329/2020	3rd November 2020	17th September 2021	No Breach	Alleged unauthorised alterations to building	The Old Bank Main Street Cross Hills Keighley BD20 8TB	Glusburn
ENF/03332/2020	10th November 2020	17th September 2021	Consent granted / Permitted development	Large shed in rear yard	83 Main Street Farnhill Keighley BD20 9BW	Aire Valley With Lothersdale
ENF/03343/2020	18th December 2020	17th September 2021	Lawful Over Time	Alleged unauthorised extensions to caravans and erection of standalone outbuildings	Three Peaks Park New Road Ingletton Carnforth LA6 3DL	Ingletton And Clapham
ENF/03357/2021	29th January 2021	17th September 2021	No Breach	Alleged unauthorised change of use	6 Barden Road Eastby Skipton BD23 6SN	Embsay-with-Eastby
ENF/03363/2021	8th February 2021	17th September 2021	Lawful Over Time	Alleged unauthorised stable building	Bideber Mill Westhouse Ingletton Carnforth LA6 3NY	Ingletton And Clapham
ENF/03391/2021	23rd April 2021	22nd September 2021	Lawful Over Time	Alleged unauthorised rear extension	Howgill Cottage Low Lane Draughton Skipton BD23 6EE	Barden Fell

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03392/2021	27th April 2021	17th September 2021	Consent granted / Permitted development	Alleged unauthorised siting of caravans	Land To North West Of New Laithe Gargrave Skipton	Gargrave And Malhamdale
ENF/03400/2021	12th May 2021	17th September 2021	Retrospective Planning	Alleged unauthorised 2.6m high fence.	58 Burnside Crescent Skipton BD23 2BJ	Skipton West
ENF/03417/2021	22nd June 2021	17th September 2021	Not Expedient to Enforce	1. Alleged unauthorised installation of UPVC windows. 2. Alleged unauthorised installation of CCTV camera. 3. Alleged unauthorised installation of satellite dish. 4. Alleged unauthorised erection of shed.	Honeysuckle Cottage 128 Main Street Cononley Keighley BD20 8NU	Aire Valley With Lothersdale
ENF/03421/2021	28th June 2021	17th September 2021	Consent granted / Permitted development	Alleged unauthorised raised patio	59 Hurrs Road Skipton BD23 2JX	Skipton East
ENF/03429/2021	27th July 2021	17th September 2021	Not Expedient to Enforce	Untidy Garden.	15 Skipton Road Embsay Skipton BD23 6QT	Embsay-with-Eastby
ENF/03434/2021	13th August 2021	24th September 2021	Consent granted / Permitted development	Alleged unauthorised installation of windows prior to discharging condition 4 of planning approval 2020/21310/FUL.	Land At Lakeber Drive High Bentham Lancaster	Bentham

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2424/2016		17th September 2021	No Breach	Damage to one of 3No Cherry trees adjacent to Granville Close	Lambert Hills Adjacent To Granville Close Skipton North Yorkshire BD23 1QE	

Planning Committee Report of New Cases Registered **For Period 17-09-2021 to 13-10-2021**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03443/2021	Shed erected and fence over 1 metre from ground level installed- Permitted development removed under planning condition no. 3 of planning permission 5/63/1468/A.	1 Linton Court Skipton BD23 2TH	Skipton West
ENF/03444/2021	Change of use from residential to holiday let.	Wildmans Barn Mewith Lane Mewith Bentham Lancaster LA2 7AP	Ingleton And Clapham
ENF/03445/2021	Alleged unauthorised felling of trees and possibly more caravans than allowed	Bowland Fell Park Crow Trees Tosside Skipton BD23 4SD	Settle And Ribble Banks
ENF/03446/2021	Alleged unauthorised construction of outbuilding(s) and sloped roof porch above door. Alleged unauthorised siting of portacabin.	Town End Barn Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03447/2021	Alleged unauthorised extension to height of wall and potential business being run from property	51 Broughton Road Skipton BD23 1TE	Skipton West
ENF/03448/2021	Alleged unauthorised structure attached to garden wall within the curtilage of a listed building.	15 Castle Hill Settle BD24 9EU	Settle And Ribble Banks
ENF/03449/2021	Unauthorised works to a Listed Building	Pen Cottage 10 Constitution Hill Settle BD24 9ER	Settle And Ribble Banks

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03450/2021	Large structure erected in the front garden.	16 Aldersley Avenue Skipton BD23 2LA	Skipton East
ENF/03451/2021	Alleged unauthorised running of car sales business from residential property (Potential change of use).	3 Roundell Drive West Marton Skipton BD23 3UL	West Craven
ENF/03452/2021	Alleged unauthorised solar panels in Conservation Area	High Croft Commercial Street Settle BD24 9HP	Settle And Ribble Banks