

## **PLANNING COMMITTEE**

20<sup>th</sup> November 2017

**Present** – The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Hull, Lis, Madeley (substitute for Rose) Morrell, Place, Shuttleworth, Solloway (substitute for Heseltine) and Thompson.

**Officers** – Legal Services Manager, Development Control Manager, Principal Planning Officer, , Planning Officer (x2), Planning Assistant and Committee Officer.

Ward Representatives : Councillors Barrett (Application 32/2016/17097), Brown (Application 2017/18450/FUL) and Dawson (Application 2017/18340/FUL).

Apologies for absence were received from Councillors Brockbank, Harbron, Heseltine and Rose.

Start: 1.35pm

Finish: 6.17pm

Councillor Solloway left the meeting at 4.33pm.

Councillor Place left the meeting at 5.40pm

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

The minutes of the Committee's meeting held on 23<sup>rd</sup> October 2017 were confirmed and signed by the Chairman.

### **Minutes for Report**

PL.846

#### **PUBLIC PARTICIPATION**

The following persons addressed the Committee under its public participation scheme:-

Application 2017/18340/FUL : Cllr P Whitaker (for Skipton Town Council)

: Mr B Burns (objector / for objectors)

: Mr A Windrass (for the applicant)

Application 32/2016/17097 : Mr G Holmes (objector)

: Mr A Murray (applicant)

Application 63/2016/17523 : Mr A Durham (for the applicant)

Application 2017/18286/FUL : Mr C Price (for Clapham cum Newby Parish Council)

: Ms A Sheridan (for objectors)

: Mr A Durham (for the applicant)

Application 2017/18153/FUL : Mr A Green (for the applicant)

Application 2017/18477/FUL and 18478/LBC : Ms V Steele (objector)

PL.847

#### **APPLICATIONS FOR PLANNING PERMISSION**

##### **a. Delegated Matters**

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission which had been dealt with under delegated authority:-

22/2017/17838 Application to vary condition no. 3 relating to the external walls, condition no. 4 relating to the type of roof slate, condition no. 5 relating to the vehicle parking area, condition no. 6

relating to the window design and condition no. 7 relating to the chimney stack all relating to existing planning permission referenced 22/2004/4151 dated 11 May 2004, 9 Freegate, Ickornshaw Cowling - Approved with Conditions.

31/2015/16339 Variation of condition no 2 of previously approved application referenced 31/2015/15285 Reserved Matters application for the development of 7 no houses for appearance, landscaping, layout and scale for Outline application 31/2013/13807, land at Raines Road, Giggleswick - Application withdrawn.

31/2016/17501 Application to partly discharge condition no. 2 on the original planning approval referenced 31/2016/16922 in respect of the external walls of the 7 no. dwellings being constructed from sandstone, land at the junction of Raines Road and Brackenber Lane, Giggleswick - Conditions satisfactorily discharged.

31/2017/17808 Application for discharge condition no. 2 (blue natural Spanish slate 600mm x 300mm), condition no. 12 (Affordable Housing Provision) and condition 13 (Ground Levels, Floor Levels of the dwellings, garages, drives, parking areas and terraces to units 4-6) of original planning permission referenced 31/2016/16922 granted 27 September 2016, land at Raines Road, Giggleswick - Conditions satisfactorily discharged.

32/2017/17867 Application to discharge condition no 17 (affordable provision) of previously approved application (32/2015/15390), land on the east side of Green Lane, Glusburn - Conditions satisfactorily discharged.

63/2015/16336 Application to discharge condition no's 5, 6, 7 of original planning permission referenced 63/2015/15726 and the consideration that condition no 3 is dealt with by a Section 106 Agreement, Eley Croft Development, Moorview Way, Skipton - Application withdrawn.

73/2017/17980 Proposed internal and external alterations to form holiday cottage and repairs work to the Hall, Kildwick Grange Hall, Kildwick - Approved with Conditions.

73/2017/17981 Application for listed building consent for proposed external and internal alterations, Kildwick Grange Hall, Kildwick - Approved with Conditions.

2017/18207/CCC Confirmation of compliance for original planning consents reference 31/2015/16266, Armitstead Hall, Armitstead, Giggleswick - Complied with conditions.

2017/18197/FUL External alterations to existing industrial unit comprising the construction of side extension, the reconfiguration of external openings and the recladding of the building to form a B1, B2 & B8 unit. Also the demolition of existing single storey building, T F Smith, Sowarth Field Industrial Estate, Settle - Approved with Conditions.

2017/18256/HH Bespoke tailor made greenhouse, Carr Head Hall, Carr Head Lane, Cowling - Approve with Conditions.

2017/18244/FUL Forestry Building with yard and landscaped bund, land at Draughton Height, Height Lane, Draughton - Approved with Conditions.

2017/18270/HH Proposed side extension, 8 Scott Close, Sutton-in-Craven - Approved with Conditions.

2017/18326/FUL Change of use from shop with accommodation to shop, first floor flat and two storey dwelling, 1 Prospect Street, Keighley Road, Cross Hills - Approved with Conditions.

2017/18335/FUL Change of use of part renovated agricultural barn and study to holiday, accommodation Swawbeck Barn, Paley Green Lane, Giggleswick - Approved (no conditions).

2017/18345/FUL Infill building to rear of number 9 Main Street, Cross Hills, proposed B1 & B8 use classes. Ground floor to accommodate new storage, and first to be used as office area, 9 Main Street, Cross Hills - Approved with Conditions.

2017/18347/VAR Application to vary planning approval 63/2015/15955 to change the entrance access arrangements, High Trees, The Bailey, Rectory Lane, Skipton - Approved with Conditions.

2017/18382/VAR Minor Material Amendment to planning permission 26/2015/16502 for conversion of barn to provide one dwelling including rebuilding of part of the existing building, addition of subterranean garage to rear, formation of residential curtilage and creation of new access road, Barn Low Lane, Holme Lane, Halton East - Approved with Conditions.

2017/18405/ COU Change of use from Bed and Breakfast Guest House to domestic residential dwelling, Tudor House, Station House, Bell Busk - Approve with Conditions.

2017/18388/CPE A certificate of lawful use application to establish the lawful use of Bideber Mill holiday cottage, Bideber Mill, Galegreen to High Threaber Farm, Ingleton - Approve Certificate of Lawful Development.

2017/18394/HH First floor extension to provide additional bedroom, en-suite and office, Throstle Nest Cottage, Old Road, Thornton in Craven - Approved with Conditions.

2017/18411/HH Proposed conversion of single storey single garage into family room and store, with new external French doors, 23 Airedale Ings, Cononley - Approved with Conditions.

2017/18397/CND Application to discharge condition no. 3 of original planning consent reference 22/2017/17811, Sycamore House, Cow Lane (East), Cowling - Conditions satisfactorily discharged.

2017/18419/FUL Change of use of agricultural land to garden lawn, 17 Gooselands, Rathmell - Approved with Conditions.

2017/18428/TPO Fell 2 No. Sycamore in G1 of TPO 176 2009, land adjacent to 68B Moorview Way, Skipton - Split Decision.

2017/18474/HH Construction of summerhouse of a conservatory design in garden, High Street Cottage, 23 High Street, Ingleton - Approved with Conditions.

2017/18438/TPO Fell - 1 No Birch (T1), 1 No. Cherry (T2), 1 No. Ornamental Cherry (T3), 1 No. Beam (T4) & 1 No. Mountain Ash (T5), Gargrave Village Hall, West Street, Gargrave - Split Decision.

2017/18437/CPL Single storey side extension, 1 Hall Court, Hall Drive, Sutton-in-Craven - Certificate of Lawful Development Approved.

2017/18439/TCA Remove broken stubs on 2 no. Sycamore. Crown lift mature trees which overhang the car park to 5 metres, Skipton General Hospital, Keighley Road, Skipton - Approved Tree Works in Conservation Area.

2017/18441/HH Demolition of existing garage and erection of 'split level' one/two storey extension to the side (north) and single storey extension to the rear (east) elevations, 13 Dale Road, Carleton - Approved with Conditions.

2017/18447/TCA T1 Ash - Fell due to evidence of extensive decay, Ingleborough Rural Community Association, Ingleborough Community Centre, Main Street, Ingleton - Approved Tree Works in Conservation Area.

2017/18448/FUL Installation of storage container and associated hard standing (retrospective application), Grasmere House, College Road, Bradley - Approved with Conditions.

2017/18449/TPO T3 Sycamore. Fell, 85 Clayton Hall Road, Cross Hills - Approved Tree Work under Tree Preservation Order.

2017/18469/HH Construction of single storey kitchen/dining extension, 1 Moorber Croft, Moorber Lane, Coniston Cold - Approved with Conditions.

2017/18464/PNCOU Change of use of agricultural building to a dwelling (Prior Approval Notification) Agricultural Building, Lane End Farm, Cam Lane, Thornton in Craven – Refused.

2017/18459/TCA T1 Pine - Draw back two limbs to appropriate growth point to give approx 2 metres clearance to the property, 1 Town Head, Settle - Approve Tree Works in Conservation Area.  
2017/18465/LBC Retrospective application to rehaunch chimney stack and put in flue; pick and point gable end and chimney in lime mortar; replace 3 windows on gable end with exact replicas, 2 Brookhouse, Ingleton - Approved (no conditions).

2017/18485/NMA Non-material amendment to previous planning application reference 72/2016/16636 to change kitchen window to bi-fold door opening to match two other bi-fold doors on the ground floor, Higher Meresyke Farm, Wigglesworth - Non-material amendment approved.

2017/18460/TCA T1 Ash - Remove dead branch and crown reduce by 25-30%, Ingleton Park, Thacking Lane, Ingleton - Approve Tree Works in Conservation Area.

2017/18461/OUT Outline application for construction of 2no. semi detached dwellings with all matters reserved, land to the rear of the former, National Westminster Bank, Station Road High Bentham - Approved with Conditions.

2017/18493/HH Erection of single storey extension, Brookside, Laundry Lane, Ingleton - Approved with Conditions.

2017/18536/TCA Site 1 - T4 Elder Group, fell and remove , T5 - 1 No. Ash - Crown lift and reduce length of lateral branches, T6 -1 No. Eucalyptus - Reduce length of branches to give 2m clearance, G7 - Group of Ash - Fell , T8 - 1 No. Laburnam - Fell, T9 - 1 No. Cherry Remove lower branches for 4m clearance, T10 - 1 No. Plum Fell. Site 2 - T1- 1 No. Cherry Reduce length of branches, T2 - 1 No. Ash - Fell and remove stump, G3 - Copper Beech Cut back to allow access to field, G4 - Grind out stumps. Site 3 - T1 - 1 No. Chestnut Reduce length of lower failed branch, Recreation Field off Keighley Road and Hartley Memorial Field to the rear of Pinnacle View and Middleton Recreational Ground, to the rear of 1 Middleton, Cowling - Approved Tree Works in Conservation Area.

2017/18537/TCA T1 - Fell 3 Trees in a group of mixed species - Cherry, Birch and Cherry, allotment plot to the rear of 1 Middleton, Cowling - Approved Tree Works in Conservation Area.

2017/18466/ADV Display of 1 non-illuminated post-mounted information sign, Skipton Castle Woods Sawmill Entrance, Skipton - Approved with Conditions.

2017/18471/TCA T1 Pine - Prune to give BT wire 1m clearance and T2 Sycamore - Crown thin 10%, 12 Rook Street, Lothersdale - Approved Tree Works in Conservation Area.

2017/18479/CND Application to discharge condition no's 4 (windows) and 5 (wall panel) of planning permission referenced 53/2014/14388 and listed building consent referenced 53/2014/14389 granted 24/04/2014, Stone Gappe Hall, Lothersdale - Conditions satisfactorily discharged.

2017/18487/TCA Fell 4 No. Willow (1, 3,4 and 5) & 1 No. Apple (2) 1 No Sycamore - remove lower limbs, Moat Cottage, 3 Wood Grove, Chapel Hill, Skipton - Approved Tree Works in Conservation Area.

2017/18491/HH Single storey rear extension, 8 The Close, Skipton - Approved with Conditions.

2017/18503/HH Remove existing sectional concrete garage to side of property, remove single storey kitchen extension to the rear and replace with a 2 storey extension to the rear, 13 South View, Kildwick - Application Withdrawn.

2017/18505/TCA Fell 3 No Sycamore - T1, T2 and T3, 3 Brook View, Carleton - Approved Tree Works in Conservation Area.

2017/18506/HH Demolition of conservatory, replacement with bedroom and demolition of porch, replacement with utility room, 9 Robin Lane, High Bentham - Approved with Conditions.

2017/18526/TCA 1 No. Fir - prune to give more stability by taking 1/3 of the height, Wood Cottage, 1 Wood Grove, Chapel Hill, Skipton - Approved Tree Works in Conservation Area.

2017/18523/TCA Remove 2 No. Sycamore, 3 Hall Gardens, Farnhill - Approved Tree Works in Conservation Area.

2017/18529/CPL Certificate of Lawful Development (Proposed) for single storey rear extension and internal alterations, 47 Otley Road, Skipton - Approved Certificate of Lawful Development.

2017/18544/TCA T1 - Cherry Tree - Crown lift to approximately 8 - 10 feet, T4 Lime Tree - Prune back to growth point approximately 2m from building and crown reduce by 25%, 12 Delaney Court, Settle - Approved Tree Works in Conservation Area.

2017/18547/LBC Refurbishment of second floor including new en-suite, installation of conservation, type rooflights to rear elevation and replacement window to north gable elevation  
Linton Court, 4 Duke Street, Settle - Approved with Conditions.

2017/18563/TCA Remove 1 No Hawthorn, Caroline House, Providence Place, Skipton - Approved Tree Works in Conservation Area.

2017/18551/CND Application to discharge condition no 6 and 7 of previously approved application 49/2016/17124, Barns, Lawkland Green Farm, Cross Streets Hotel to Paley Green Lane, Lawkland - Conditions satisfactorily discharged.

2017/18553/HH Conversion of existing garage to garden shed/potting store including new entrance door, re-roofing works, 18 Ash Grove, Sutton-in-Craven - Approved with Conditions

2017/18554/PNAG Application for proposed agricultural building (Prior Notification), Crossgates Farm, Newton Hall to Tempest Farm, East Marton - Prior approval not required.

2017/18575/LBC Retrospective application to remove current wall, build stud wall and place velux window in roof, 2 Brookhouse, Ingleton - Approved (no conditions).

2017/18561/TPO T1 Sycamore – repollard, T2 Mountain Ash – repollard, 33 Hall Croft, Skipton - Approved Tree Work under Tree Preservation Order.

2017/18562/TCA4 No Silver Birch - reduce in height by up to 3 metres, 3 Main Street, Cononley - Approved Tree Works in Conservation Area

2017/18574/CND Application for discharge condition no's 4 External Materials & 6 Drainage Foul/Surface Water of original planning permission referenced 32/2016/16948, Brigg Field Farm, Lothersdale Road, Glusburn – Conditions satisfactorily discharged.

2017/18585/PNAG Proposed extension to agricultural building (Prior Notification), Lower Sirebank Farm, Jacksons Lane, Low Bradley - Application Withdrawn.

2017/18594/TPO T1 (Alder) - fell, land Approved For 2 Houses, Lingah Hill, Cononley Road, Glusburn - Approved Tree Work under Tree Preservation Order.

2017/18626/CND Application to discharge condition no 3: stone wall sample and condition no. 4: roof slate sample, 16 Ickornshaw, Cowling - Split Decision.

2017/18627/PNAG Prior approval notification for the excavation of land to drain excess water from field and some levelling off to get excess water away and dry the land out, Winter House Farm, Colne Road, Cowling – Prior notification process not applicable.

2017/18676/TCA Remove diseased willow trunk, 5 Main Street, Cononley - Permission not required.

## **b. Applications**

**Resolved** – That decisions on applications for planning permission are made as follows: -

### **Permission Granted**

**2017/18195/FUL Proposed construction of 2 no. detached dwellings with attached double garages on the site of existing redundant farm buildings to be demolished as part of the proposal, land adjacent Bay Horse, Sutton.**

#### 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.

##### Approved Plans

2. The approved plan comprises drawing No's The permission relates to the following plans:

- Drawing No. 01 received 09<sup>th</sup> June 2017.
- Drawing No. 02 received 09<sup>th</sup> June 2017.
- Drawing No. 03 received 09<sup>th</sup> June 2017.
- Drawing No. 04 received 09<sup>th</sup> June 2017.
- Drawing No. 05 received 09<sup>th</sup> June 2017.
- Drawing No. 06 received 09<sup>th</sup> June 2017.
- Details contained within the Design and Access Statement received 09<sup>th</sup> June 2017.

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

##### Before Development Commences

3. Prior to the commencement of development on site, a scheme of soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of boundary planting, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment): schedule of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; and an implementation programme. The approved scheme of landscaping shall be carried out in the first planting season following the first use of the development. Any trees or plants that

within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species (unless otherwise agreed in writing with the Local Planning Authority).

4. Prior to the commencement of development on site, a scheme of hard landscaping works for the site shall be submitted to and approved in writing by the local planning authority. The details shall include: car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground; and an implementation programme. All hard landscape works shall be carried out in accordance with the approved details.

5. Development shall not commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

#### During Building Works

6. Should any unexpected contamination be encountered during development, the local planning authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and agreed in writing by, the local planning authority. The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales. The Remediation Strategy and Validation report shall be prepared in accordance with the current best practice.

#### Before the Development is Occupied

7. All of the internal and external site boundaries shall be enclosed in accordance with the details shown on the approved plans. The approved boundary treatments for each dwelling shall be completed prior to the occupation of the dwellings, and all of the approved boundary treatments shall be completed prior to the occupation of the last dwelling on the site.

#### Ongoing Conditions

8. Prior to their first use, samples of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the areas shown on the approved plans for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development consisting of the enlargement, improvement or other alteration of the dwellinghouse, nor the erection of any outbuildings, nor the erection or installation of any walls, fences, gates or other means of enclosure within the curtilage of the dwellinghouses hereby approved shall take place without the prior written approval of the Local Planning Authority.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

12. Foul and surface water shall be drained on separate systems.

#### Informatives

1. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website ([www.communities.gov.uk](http://www.communities.gov.uk))

2. During construction there is a potential for noise nuisance to nearby residential properties. Operating times for construction shall be limited to:

8:00am to 6:00pm Monday to Friday

8:00am to 1:00pm Saturday

No Sunday or Bank Holiday working.

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.

3. The applicant is advised that the removal of any potential asbestos containing materials present on site should be carried out by a suitably qualified, competent contractor/registered waste carrier, licenced in the removal and offsite disposal of asbestos to a registered hazardous waste landfill site.

4. With regard to conditions above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. (\*)

#### **2017/18303/VAR Application to vary condition 3 of planning consent reference 18/2015/15338 to amend the lodge type and design of 7 no. lodges, Flying Horse Shoe Caravan Site Clapham.**

#### Conditions

1. This permission relates to the following plans: FS/P/20 received by Craven District Council on 21<sup>st</sup> June 2017 and letter sent by email from Colin Holmes to Craven District Council, dated 05 September, reference CSH/Flying Horseshoe/03/variation. Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.



2. The Lodges hereby permitted shall be of the Atlas 'Laburnum' Lodges with decking and balustrade of the design only as indicated on drawing FS/P/20 received by Craven District Council on 21<sup>st</sup> June 2017 unless otherwise agreed in writing by the Local Planning Authority.
3. The approved planting scheme as part of 18/2015/15338, that includes replacement planting for trees that are to be felled, shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. The maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must of a similar size to that originally planted.
4. With the exception of the approved warden's caravan (identified to be No. 8 in the letter from Colin Holmes dated 05/09/17), the lodges and caravans on the site shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence
5. The owners/operators shall maintain an up-to-date register of all the names of all owners/occupiers of individual caravans and lodges on the site and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.
6. Within two months from the date of this approval details shall be submitted to and approved in writing by the Local Planning Authority of the bin storage and refuse arrangements for the site, and of the gas tank storage area. The approved details for the bin storage and refuse arrangements for the site and of the gas tank storage area shall be implemented within six months from the date of this approval and permanently retained for use thereafter.
7. The static caravan identified as warden's accommodation (identified to be No. 8 in the letter from Colin Holmes dated 05/09/17) shall be used as warden's accommodation only and its' occupation shall be limited to a person solely or mainly employed as a warden in connection with the use of the land as a caravan site.
8. The warden's static caravan (identified to be No. 8 in the letter from Colin Homes dated 05/09/17) approved by this consent shall not be residentially occupied if the managers accommodation approved and implemented under planning approval reference 18/2009/10122 is built and occupied. In such circumstances the warden's static caravan shall be used only as holiday accommodation only in accordance with the requirements of conditions 6 and 7 of this planning permission.
9. The lighting shall be installed on the site in accordance with the details submitted to the Local Planning Authority as part of planning application 18/2015/15338. These are a letter from Colin Holmes dated 10th January 2015, an email from Colin Holmes dated 27th January 2015 and the associated annotated 'general arrangement, layout plan' drawing number P6/P/10 received by Craven District Council on 5th January 2015, and shall be retained as such thereafter.
10. Visibility splays are to be provided giving clear visibility of 60 metres measured along both channel lines of the major road 'Station Road, Clapham' from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
11. Within three months of the date of this decision the existing white lodges on the site shall be reclad and or painted "Acadia " green and thereafter retained in that colour.

Informative : Craven District Council Environmental Protection has advised that the variation still complies with model standards, however, the licence will need wording change on approval of this application and the licence owner should make contact to deal with this issue.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework.

**2017/18153/FUL Proposed replacement of existing timber windows with double glazed UPVC frames, Regal Buildings, Keighley Road, Skipton.**

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. In particular the Council advised the agent with respect to the reasons why the application could not be supported in its current form and provided advice with respect to a resubmission

Note : The proposer and seconder provided the following the reason for setting aside the recommendation of refusal "On the basis that it is the entirety of the front and flank elevations of the building which create an important feature in the conservation area the pattern of the windows, particularly because of their darkened frame form, goes into insignificance. Therefore the scheme before the committee should be approved."

**2017/18400/VAR Application to vary condition no. 3 of planning permission 63/2015/15335 to extend opening hours Monday to Thursday 9am - 11pm, Friday to Saturday 9am to 12 midnight and Sunday 9am to 10pm and condition no. 5 to allow a wider menu for the serving of hot food, 1 Victoria Square, Skipton.**

Conditions

Time Limit for Commencement

1. No time condition as permission has been implemented,

Approved Plans

2. The approved plans comprise Plan Number Drawing No 15335/1 & 15335/2 (annotated by the case officer for clarification) received by the Local Planning Authority on the 12th & 26th January 2014. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment

Before Development Commences

3. Prior to the commencement of the external painting of the shop frontage, details concerning the proposed paint finish to be used externally shall be submitted to and approved in writing by the Local Planning Authority. The frontage shall be painted using only the approved finish.

Ongoing Conditions

4. Amended condition - The A4 use hereby approved shall not be open for business on any day of the week outside of:

Monday – Thursday 9am – 11pm.

Friday – Saturday 9am – Midnight

Sunday and Bank Holidays 9am – 10pm

5. Amended condition: This premises shall not sale food goods of any kind other than the following: bread based snacks, jacket potatoes, chips, grilled meats and hot pies. For on-site consumption by visitors to the establishment using a toaster, grill or air fryer.

6. No amplified music shall be produced or played within or outside of the premises.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. (\*)

**2017/18450/FUL Creation of new access to agricultural land (resubmission of lapsed and unimplemented application 73/2009/10024 approved August 2010). This application includes the full details of the proposed planting scheme which was a condition of the lapsed application, Deep Spring Grange Road Farnhill.**

#### Conditions

##### Time Limit for Commencement

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

##### Approved Plans

2. The development hereby permitted shall be carried out in accordance with the details shown on the approved plans ref:

- 200 Rev C received by Craven District Council on the 24<sup>th</sup> August 2017.
- 201 Rev C received by Craven District Council on the 24<sup>th</sup> August 2017.
- 202 Rev C received by Craven District Council on the 24<sup>th</sup> August 2017.
- 203 received by Craven District Council on the 24<sup>th</sup> August 2017.

The development shall be completed in accordance with the approved plans except where alternative details have been subsequently approved following an application for a non-material amendment.

##### Before Development Commences

3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other ground works, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access extending 10 metres into the site from the carriageway of the existing or proposed highway shall be at a gradient not exceeding 1 in 10.

- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 10 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority

#### During Building Works

4. All replacement planting of hedgerow trees and shrubs to the rear of the new visibility splays/realigned walls shall be carried out in accordance with the approved landscaping scheme in the first planting and seeding seasons following the completion of the development, and any trees or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. (\*)

#### Delegated Authority

**2017/18340/FUL Residential development of 73 dwellings including associated infrastructure, land at corner field to the north of A6131/Harrogate Road, Skipton** – subject to Natural England being given prior notification of the intention to approve as required by Section 281(6) of the Wildlife and Countryside Act 1981, the Development Control Manager was authorised to approve this application subject to the conditions now agreed, including an amendment to Condition 22 to incorporate an appropriately worded requirement for the height of the eastern boundary wall to be raised to a height of 1.8m and retained at that height, and subject also to the applicant signing a prior Section 106 Agreement to secure

- a. The provision, tenure, delivery mechanism, occupation criteria and phasing for 40% of the dwellings to be provided as affordable housing (as defined the National Planning Policy Framework) in accordance with the size, mix, layout and distribution shown on the approved plans.
- b. The provision, layout, specification, design, management and maintenance of public open space and a Locally Equipped Area for Play on the site in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan Policy SRC2.
- c. A financial contribution of £100,000 towards the off-site provision, improvement and/or future maintenance of open space to address local deficiencies in youth and adult play and recreation space.

#### 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.

##### Approved Plans

2. This permission relates to the following plans:

- Scale 1:1250 Location Plan (amended plan received 11.10.17).
- Drawing no. 0222-01 Rev R – Site layout plan
- Drawing no. 0222-02 Rev D – Presentation plan
- Drawing no. 0222-03 Rev M – Enclosures plan
- Drawing no. 0222-04 Rev M – Materials plan
- Drawing no. 0222-06 Rev B – Site sections
- Drawing no. 0222-08 Rev E – Open space areas
- Drawing no. 0222-09 Rev B – Extent of Skipton Road Footway widening.
- Package titled 'House Type Planning Drawings – Rev E' which includes:
  - Drawing no. 0222\_RE\_01 – Regent
  - Drawing no. 0222\_WE\_01 – Weir
  - Drawing no. 0222\_RO\_01 – Rowing
  - Drawing no. 0222\_GR\_01 – Grange
  - Drawing no. 0222\_AS\_01 – Ashbery
  - Drawing no. 0222\_MI\_01 – Mitford
  - Drawing no. 0222\_RY\_01 – Ryton
  - Drawing no. 0222\_ST\_01 – Stevenson B
  - Drawing no. 0222\_ST\_DA\_01 – Stevenson D.A.
  - Drawing no. 0222\_GA\_01 – Gala
  - Drawing no. 0222\_BU\_01 – Buttermere
  - Drawing no. 0222\_JU\_01 – Jura
  - Drawing no. 0222\_TH\_01 – Thames
  - Drawing no. 0222\_TH\_02 – Thames
  - Drawing no. 0222\_CH\_01 – Chichester
  - Drawing no. 0222\_CH\_04 – Chichester
  - Drawing no. 0222\_SG\_01 – Single garage
  - Drawing no. 0222\_DG\_01 – Double garage
  - Drawing no. 0222\_DG\_02 – Double garage

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

#### Before Development Commences

3. No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- a. a phased programme and methodology of site investigation and recording to include:
  - i. a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
  - ii. a targeted archaeological evaluation; and
  - iii. where appropriate, targeted area excavation.
- b. A programme for post investigation assessment to include:
  - i. analysis of the site investigation records and finds;
  - ii. production of a final report on the significance of the archaeological interest represented.
  - c. provision for publication and dissemination of the analysis and report on the site investigation.
  - d. provision for archive deposition of the report, finds and records of the site investigation.
  - e. nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

4. Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the dwellings have been 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.

5. Notwithstanding any details shown on the approved plans, no above ground works shall take place until details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including surrounds, sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before each associated dwelling is first occupied, and shall be retained as such thereafter.

6. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

7. No development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a. a survey of the extent, scale and nature of contamination;
- b. an assessment of the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems; and
- archaeological sites and ancient monuments.

- c. an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

8. No above ground works shall take place until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 5 September 2017 have been addressed and/or mitigated. The development shall thereafter be carried out in full accordance with the duly approved details.

9. No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a. Detailed engineering drawings to a scale of not less than 1:250 based upon an accurate survey showing:

- the proposed highway layout, including the highway boundary;

- dimensions of any carriageway, cycleway, footway, and verges;
- visibility splays;
- the proposed buildings and site layout, including levels;
- accesses and driveways;
- drainage and sewerage system;
- lining and signing;
- traffic calming measures;
- 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:

- the existing ground level;
- the proposed road channel and centre line levels;
- full details of surface water drainage proposals.

c. Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all types of construction proposed for carriageways, cycleways and footways/footpaths;
- cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels;
- kerb and edging construction details;
- typical drainage construction details.

d. 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 timetable for completion of the works detailed in a) to g).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

10. No development shall take place until a scheme for the design and construction of the site accesses at the junctions with the A6131 and Skipton Road (the positions of which are shown on drawing no. 0222-01 Rev R) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

a. Splays giving clear visibility of 120 metres (in both directions) measured along both channel lines of the A6131 from a point measured 4.5 metres down the centre line of the site access at the junction with the A6131. The eye and object heights shall be 1.05 metres.

b. Splays giving clear visibility of 50 metres (looking northwest) and 33 metres (looking southwest) measured along both channel lines of Skipton Road from a point measured 2.4 metres down the centre line of the site access at the junction with Skipton Road. The eye height shall be 1.05 metres and the object height shall be 0.6 metres.

c. The crossing of the highway verge and/or footway to be constructed in accordance with North Yorkshire County Council's Standard Detail E6 or another specification which has first been submitted to and approved in writing by the Local Planning Authority.

d. Any gates or barriers to be erected a minimum distance of 6 metres from the back edge of the carriageway of the existing highway and that they do not swing or open over the existing highway.

- e. The first 6 metres of the access road/footway extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 20 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.
- f. The prevention of surface water from the site discharging onto the existing or proposed highway.
- g. Tactile paving in accordance with current Government guidance.

The site accesses shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant heights referred to in (i) and (ii) thereafter.

11. Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing and proposed highway until splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the existing highway have been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

12. No development shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a. The provision of tactile paving.
- b. The provision of a ghost island right hand turn lane for westbound vehicles entering the site from the A6131, including any widening of the existing carriageway.
- c. The provision of pedestrian crossings over the carriageways of the A6131 and Skipton Road in all locations where the shared footway/cycleway emerges onto the existing highway.
- d. The provision of new footways: (i) between the opening of the shared footway/cycleway onto the A6131 (southeast corner) and the junction of the A6131 with Overdale Grange; and (ii) over the southern verge of the A6131 to connect with the existing footway in the position shown on drawing no. 0222-01 Rev R.
- e. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the widening of the existing footways on Skipton Road and the A6131 to 2.5 metres in the positions shown on drawing no. 0222-09 Rev B.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/03 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the dwellings are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

13. No above ground works shall take place until a scheme for the layout, construction and design of the 2.5 metre wide shared footpath/cycleway extending around the perimeter of the site (the route of which is shown on drawing no. 0222-01 Rev R) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the Sustrans multi user path standards. The shared footpath/cycleway shall be constructed and made available for use in accordance with the duly approved scheme before the 37th dwelling hereby approved is first occupied, and shall be retained as such thereafter.

14. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:



- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;
- e. arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

15. No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
- b. Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
- c. Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

16. No development on the affected areas of the site shall take place until a scheme for the protection of the 225mm diameter foul sewer crossing the site has been submitted to and approved in writing by the Local Planning Authority. If these protection measures include the diversion of the sewer then the applicant shall provide written evidence to the Local Planning Authority confirming that the proposed sewer diversion has been agreed with the relevant statutory undertaker. The development shall thereafter be carried out in full accordance with the duly approved scheme.

17. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme 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) and shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the post-development surface water runoff rate generated during

rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.

c. Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including through the use of areas to hold or convey water).

d. Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

#### During Building Works

18. All doors and windows on the elevations of the dwellings located adjacent to the existing and/or proposed highway shall be constructed and installed such that from the level of the adjacent highway for a height of 2.4 metres they do not open over the public highway and above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway.

19. Notwithstanding any details shown on the approved plans, within three months of development first taking place a soft landscaping scheme for the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

20. Within three months of development first taking place details of the design, materials and finish of the boundary treatments for each plot (the type, siting and height of which is shown on drawing no. 0222-03 Rev M) shall be submitted for the written approval of the Local Planning Authority. The boundary treatments for each plot shall be constructed in accordance with the duly approved details before the dwelling on each associated plot is first occupied, and shall be retained as such thereafter.

#### Before the Development is Occupied

21. None of the dwellings hereby approved shall be first occupied until a scheme for the installation of 10 all-purpose bat and bird boxes on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, size and design of the bat and bird boxes and a timetable for their installation. The bat and bird boxes shall be installed in accordance with the duly approved scheme and the timetable contained therein.

22. The dry stone boundary wall to the perimeter of the site shall be retained, repaired and, where necessary, partially rebuilt in accordance with the details shown on drawing no. 0222-03 Rev M before any of the dwellings hereby approved are first occupied.

23. The vehicle access, parking, manoeuvring and turning areas for each dwelling shall be constructed and made available for use in full accordance with the details shown on drawing no. 0222-01 Rev R before each associated dwelling is first occupied.

24. Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Travel Plan by 'AECOM' dated May 2017 (report reference 60541520) and shall contain:

- a. details of a Travel Plan co-ordinator;
- b. details of measures to be introduced to promote a choice of travel modes to and from the site;
- c. a monitoring regime which sets out travel mode share targets, monitoring procedures and mechanisms to be put in place to ensure that the Travel Plan remains effective; and
- d. a timetable for the implementation, monitoring and review of the Travel Plan which shall include provision for an annual assessment (over a minimum period of five consecutive years following the implementation of the Travel Plan) of the effectiveness of the measures introduced under (ii) and shall identify the need for any changes to the Travel Plan and a timetable for their implementation.

The travel plan shall thereafter be implemented in accordance with the duly approved details and timetable contained therein.

Informatives:

**Highways:** You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority. It is recommended that before a detailed condition discharge submission is made a draft road and footway layout is prepared for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work.

**Trees:** Several trees on the site are protected by a Tree Preservation Order (TPO references '66 1990 A1' and '57 1989'). All specimens also fall within the Skipton Conservation Area. For the avoidance of doubt, and notwithstanding any details contained within the arboricultural report by Iain Tavendale dated 21.08.17, this planning permission does not permit any works to existing trees on the site. Should the applicant wish to undertake the works to trees identified in the arboricultural report, they are advised that a separate works to trees application will be required.

**Yorkshire Water:** The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: Technical.Sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

**Statement of Positive Engagement :** The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and

environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*) (SV)

**32/2016/17097 Conversion and restoration of Malsis Hall to create care facility (use class C2) including demolition of existing extensions and construction of new extensions, upgrading and re-opening of former sports facilities and residential development of 67 dwellings within grounds (including conversion of listed lodge building to dwellinghouse), Malsis Hall, Colne Road, Glusburn** – subject to inclusion of an amendment to Condition 22 to incorporate an appropriately worded requirement for the planting on the site's boundary with Colne Road to be strengthened, the Development Control Manager was authorised to approve this application subject to the conditions now agreed, and subject also to the applicant signing a prior Section 106 Agreement to secure.

- a. The provision, tenure, delivery mechanism, occupation criteria and phasing for 16% of the dwellings to be provided as affordable housing (as defined the National Planning Policy Framework) in accordance with the size, mix, layout and distribution shown on the approved plans.
- b. A community use agreement for the sports facilities and changing room to be delivered as part of the second phase of development.
- c. The provision, layout, specification, design, management and maintenance of a play area on the site, the size and location of which is shown on the approved plans.

#### 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.

##### Approved Plans

2. This permission relates to the following plans:

- Drawing no. GA00 – Location plan.
- Drawing no. 0380\_PLI\_90\_001 Rev P16 – Site masterplan.
- Drawing no. H5095-PP-002 Rev A – Phasing plan.
- Drawing no. H5095-AHL-001 – Affordable Housing Layout.
- Drawings titled 'Malsis Play Area Proposal'.
- Drawings titled 'House Type - A, B, C, F, H, K, N, P and R' plans and elevations overview.
- Drawings titled 'House Type – D and E' plans and elevations overview (amended plans received 6.11.17).
- Drawings titled 'Apartment Type – M' plans and elevations overview.
- Drawing titled 'The Lodge Elevations Overview'.
- Drawing titled 'The Lodge Plans Overview'.
- Drawings titled 'Sports/Playing Field Strategy 09.10.2017 update'.
- Drawing no. 1507SHW/MSC/E002 – Illustrative section and external photographs.
- Drawing no. 0380\_PLI\_L\_94\_001 Rev P12 – Tree protection measures.
- Drawing no. 15-093-101 Rev G – Proposed site plan.
- Drawing no. 15-093-103 Rev A – Proposed demolition plan.
- Drawing no. 15-093-105 – Proposed demolition masterplan.
- Drawing no. 15-093-119 Rev F – Indicative lower ground floor.
- Drawing no. 15-093-120 Rev H – Indicative ground floor.
- Drawing no. 15-093-121 Rev F – Indicative first floor.
- Drawing no. 15-093-122 Rev C – Indicative second floor.

- Drawing no. 15-093-123 Rev B – Indicative roof plan.
- Drawing no. 15-093-150 Rev C – Proposed elevations (1 of 3).
- Drawing no. 15-093-151 Rev C – Proposed elevations (2 of 3).
- Drawing no. 15-093-152 Rev D – Proposed elevations (3 of 3).
- Drawing no. 15-093-153 Rev A – Building B façade retention proposal.
- Drawing no. 15-093-320 Rev D – Cottage proposed floor plans.
- Drawing no. 15-093-350 Rev E – Cottage proposed elevations 1 of 2.
- Drawing no. 15-093-351 – Cottage proposed elevations 2 of 2.
- Drawing no. 15-093-420 Rev B – Malsis house proposed plans and elevations.
- Drawing no. 15-093-SK500 – Chapel site plan.
- Drawing no. 15-093-520 – Chapel floor plan.
- Drawing no. 15-093-521 – Chapel roof plan.
- Drawing no. 15-093-550 Rev A – Chapel proposed elevations.
- Drawing no. 0380\_PLI\_L\_97\_100 Rev P02 – Care facility hard landscape and boundary treatments plan

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

3. The development shall be carried out sequentially in accordance with the three phases identified on drawing no. H5095-PP-002 Rev A. No development associated with a subsequent phase shall take place until the building works and/or land uses for each previous phase have been substantially completed and made available for occupation or use.

#### Before Development Commences

4. No development associated with the phase 2 and 3 works identified on drawing no. H5095-PP-002 Rev A shall take place on the parts of the site relating to those phases until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- a. A phased programme and methodology of site investigation and recording to include:
  - i. desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
  - ii. targeted archaeological evaluation; and
  - iii. where appropriate, targeted area excavation.
- b. A programme for post investigation assessment to include:
  - i. analysis of the site investigation records and finds;
  - ii. production of a final report on the significance of the archaeological interest represented.
- c. Provision for publication and dissemination of the analysis and report on the site investigation.
- d. provision for archive deposition of the report, finds and records of the site investigation.
- e. nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

5. Within one month of the demolition operations associated with the phase 1 works identified on drawing nos. H5095-PP-002 Rev A and 15-093-103 Rev A first taking place, a scheme for the treatment, repair and/or reconstruction of the elevations of all buildings which are attached to those components to be demolished shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. A sample panel (measuring no less than 1m x 1m) of any stonework to be used on the external surfaces of the buildings. The sample panel shall demonstrate the type, texture, size, colour, bond and method of pointing for the stonework.
- b. The constituency and colour of the mortar to be used in the pointing of any stonework.
- c. Details of the type, colour and texture of any other materials to be used on the external surfaces of the buildings.

The development shall thereafter be implemented in full accordance with the duly approved scheme before the phase 1 development hereby approved is first occupied.

6. Notwithstanding any description of materials in the application, no development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A shall take place on the part of the site relating to that phase until full details of all materials to be used on the external surfaces of the buildings associated with that phase have been 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.

7. Notwithstanding any details shown on the approved plans, no development (other than demolition) associated with (i) any of the phase 1 works identified on drawing no. H5095-PP-002 Rev A; and (ii) the conversion of the lodge on plot 67 which forms part of the phase 3 works, shall take place until details of all windows and doors (including both new and replacement openings) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including surrounds, sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before the buildings associated with (i) and (ii) are first occupied, and shall be retained as such thereafter.

8. No development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A shall take place on the part of the site relating to that phase until details of finished floor levels and external ground levels for each building (including its external areas) and/or land use associated with that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

9. If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a. a survey of the extent, scale and nature of contamination;
- b. an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.
- c. an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings and/or land uses on the affected part(s) of the site are first occupied.

10. No development associated with the phase 2 and 3 works identified on drawing no. H5095-PP-002 Rev A shall take place on the parts of the site relating to those phases until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 14 July 2017 have been addressed. Phases 2 and 3 of the development shall thereafter be carried out in full accordance with the duly approved details.

11. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev A shall take place until a scheme for the design and construction of the site accesses at the junctions with Colne Road and Carr Head Lane (the positions of which are shown on drawing no. 0380\_PLI\_90\_001 Rev P16) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- a. Splays giving clear visibility of 60 metres (looking east) and 100 metres (looking west) measured along both channel lines of the A6068 from a point measured 2.4 metres down the centre line of the site access at the junction with the A6068 (Colne Road). The eye and object heights shall be 1.05 metres.
- b. Splays giving clear visibility of 60 metres (looking west) and 100 metres (looking southeast) measured along both channel lines of Carr Head Lane from a point measured 2.4 metres down the centre line of the site access at the junction with Carr Head Lane. The eye and object heights shall be 1.05 metres.
- c. 7 metre radius kerbs to give a minimum carriageway width of 6.5 metres at the site accesses and the construction of the first 8 metres of the access road extending into the site in accordance with NYCC's Standard Detail number A1.
- d. Any gates or barriers to be erected a minimum distance of 11 metres from the back edge of the carriageway of the existing highway and that they do not swing or open over the existing highway.
- e. The first 20 metres of the access road extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 12 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.
- f. The prevention of surface water from the site discharging onto the existing or proposed highway.
- g. Tactile paving in accordance with current Government guidance.

The site accesses shall be constructed in accordance with the duly approved scheme before any part of the development is first occupied, and the visibility splays shall be maintained clear of any obstructions thereafter.

12. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev A shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a. The provision of tactile paving.
- b. The construction of two traffic islands in the centre of the carriageway of the A6068 in positions immediately west of its junctions with the site access onto Colne Road (as shown on drawing no. 1267-F01E) and Carr Head Lane (as shown on drawing no. 1267-F01D), including associated road markings.

c. The upgrading of two existing bus stops on the A6068 located to the west of the site access (eastbound and westbound) to include provisions for raised kerbs, dropped crossings, tactile paving, poles and a bus shelter, together with associated road markings.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/03 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the buildings and/or land uses for any phase of development hereby approved are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

13. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev A shall take place until a scheme for the siting, layout, height, design, materials and finish of any means of enclosure used to restrict access between the external areas of each phase of development and the site access onto Carr Head Lane has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any access arrangements for emergency services and a timetable for the erection of the means of enclosure. The means of enclosure shall be erected in accordance with the duly approved scheme and the timetable contained therein, and shall be retained as such thereafter.

14. No development associated with the phase 3 works identified on drawing no. H5095-PP-002 Rev A shall take place on the parts of the site relating to that phase until a scheme for the provision of footways to link pedestrian traffic from the development with existing footways on Colne Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the size, layout and design of the footways and their points of connection with existing footways on Colne Road (including details of the need to remove any vegetation and/or sections of the existing boundary wall). The footways shall be constructed and made available for use in accordance with the duly approved scheme before any of the dwellings associated with the phase 3 works hereby approved are first occupied, and shall be retained as such thereafter.

15. No development for each phase identified on drawing no. H5095-PP-002 Rev A shall take place on the part of the site relating to that phase until a Construction Exclusion Zone (CEZ) has been formed around the Root Protection Areas of those trees falling within the relevant phase and identified as being retained on drawing no. 0380\_PLI\_L\_94\_001. The CEZ shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be installed in the positions indicated by a solid blue line on drawing no. 0380\_PLI\_L\_94\_001. The CEZ shall be maintained in the duly installed positions for the entirety of the construction period insofar as it relates to each phase.

16. No development associated with the phase 2 works identified on drawing no. H5095-PP-002 Rev A shall take place on the parts of the site relating to that phase until a scheme containing the following documents has been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England):

a. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the reconfigured football pitches which identifies constraints that could affect playing field quality.

b. Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The scheme shall also include details of the design and layout of the pitches which shall comply with the Football Association guidance.



c. A maintenance scheme for the grass pitches including a maintenance schedule, details of the Performance Quality Standard testing arranged via the Football Association Pitch Improvement Programme, and a mechanism for review

The duly approved scheme shall be implemented in full in accordance with a timetable which has first been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). The land in question shall thereafter be maintained in accordance with the duly approved scheme with effect from commencement of the use and shall be retained for playing field use thereafter.

17. No development associated with the phase 2 works identified on drawing no. H5095-PP-002 Rev A shall take place on the parts of the site relating to that phase until a scheme for the size, siting, design and layout of the sports changing accommodation has been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). The sports changing accommodation shall thereafter be delivered and made available for use in accordance with the duly approved scheme before the sports pitches hereby approved are first brought into use, and shall be retained as such thereafter.

18. No development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A shall take place on the part of the site relating to that phase until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme 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) and shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the post-development surface water runoff rate generated during rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.
- c. Details of how the system will be maintained and managed after completion.  
The scheme shall be implemented in accordance with the duly approved details before each associated phase of development is first occupied, and shall be maintained/managed as such thereafter.

19. No development for any phase identified on drawing no. H5095-PP-002 Rev A shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;
- e. arrangements for the provision of wheel washing facilities for vehicles accessing the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;

h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

20. No development associated with the demolition of the outbuilding referred to as 'Building 2' in the Bat Survey by 'Envirotech' (report reference 426) shall take place until a comprehensive method statement indicating how bats are to be protected during the demolition works and how appropriate mitigation measures (including the siting and design of habitat compensation and enhancement measures) are to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained therein and any mitigation measures shall be fully implemented within one month of the demolition works taking place, and shall be retained as such thereafter.

#### During Building Works

21. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A first taking place, a hard landscaping scheme for the external areas of the site relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, construction (including sub layers and surfacing materials), drainage and lighting of all hard surfaced areas (including estate roads, footpaths and vehicle parking and manoeuvring areas), and a timetable for their provision. The hard surfaced areas shall thereafter be constructed in accordance with the duly approved scheme and made available for use before each building and/or land use which would take access from the relevant hard landscaped areas is first occupied.

22. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A first taking place, a soft landscaping scheme for the external areas of the site relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development for the relevant phase is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

23. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

24. Notwithstanding any details contained within the application, no external lighting associated with each phase of development identified on drawing no. H5095-PP-002 Rev A shall be installed on the part of the site relating to that phase until a scheme for its installation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the lighting's: (i) position and height on the building(s) and/or site; (ii) spillage, luminance and angle of installation; and (iii) any hoods to be fixed to the lights. All external lighting shall thereafter be installed in accordance with the duly approved scheme.

25. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev A first taking place, a scheme for the siting, height, design, materials and finish of all boundary treatments relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be constructed in accordance with the duly approved scheme before each building and/or land use associated each phase of development is first occupied.

#### Before the Development is Occupied

26. Notwithstanding any details submitted as part of the application, none of the buildings and/or land uses for each phase of development identified on drawing no. H5095-PP-002 Rev A shall be first occupied until a Travel Plan for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the 'Umbrella Travel Plan Framework' contained in Appendix 6 of the Transport Assessment by 'Croft Transport Solutions' dated June 2016 and shall contain:

- a. details of a Travel Plan co-ordinator;
- b. details of measures to be introduced to promote a choice of travel modes to and from the site;
- c. a monitoring regime which sets out travel mode share targets, monitoring procedures and mechanisms to be put in place to ensure that the Travel Plan remains effective; and
- d. a timetable for the implementation, monitoring and review of the Travel Plan which shall include provision for an annual assessment (over a minimum period of five consecutive years following the implementation of the Travel Plan) of the effectiveness of the measures introduced under (ii) and shall identify the need for any changes to the Travel Plan and a timetable for their implementation.

The travel plan shall thereafter be implemented in accordance with the duly approved details and timetable contained therein.

#### Informatives:

Highways: You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification.

Yorkshire Water: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: Technical.Sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Sport England: The design of the sports pitches should be undertaken by a specialist sports turf agronomist and constructed in accordance with their recommendations. All pitches should pass a Performance Quality Standard test before use and have suitable maintenance

programmes and arrangement in place to maintain this standard. It is recommended that the changing accommodation accords with the Football Association design guidance.

Coal Authority: The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Ecology: 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 the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species License from Natural England. 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).

Statement of Positive Engagement : The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*) (SV)

**2017/18613/VAR Application to vary conditions 7 and 8 of previous approval 32/2015/16220, Burnroyd Avenue, Cross Hills** – the Strategic Manager for Planning and Regeneration was authorised to approve this application subject to the conditions listed below and subject also to receipt of Yorkshire Water's formal response to the variation and to it not raising any objections therein.

#### Conditions

1. Time limit: Implemented under application 32/2015/16220.
2. This permission relates to the following plans: BR (100) 01. The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
3. Details approved under application 32/2017/18030, continued compliance required.
4. Details approved under application 32/2017/18030, continued compliance required.
5. Details approved under application 32/2017/18030, continued compliance required.
6. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.
7. No building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the water main, which crosses the site.

8. Unless otherwise agreed the means of disposal of surface water drainage shall be via the existing surface water sewer located off Boundary Avenue shown on drawing no 17-177-02 Rev B.

9. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

10. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by WDP ref: KL2533/SA and the following mitigation measures detailed within the FRA:

- a. Finished floor levels are set no lower than 300mm above existing ground levels.
- b. The flood proofing/resilient measures detailed within the FRA are incorporated into the development.

The mitigation measures shall be fully implemented prior to occupation.

11. 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 access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirement:

- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Details number E6.
- Any gates or barriers shall be erected a minimum distance of 4.5m back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or specification of the Highway Authority and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 4.5m of the public highway shall not contain any loose materials that are capable of being drawn on the existing or proposed public highway.

Informative : You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

12. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 914/02/A for parking spaces, turning areas and access shall be kept available for their intended purposes at all times

13. Details of alternative provision for the storage of sand bags in the local area, that are required to prevent flooding of nearby properties, shall be submitted to the LPA and approved in writing. The development shall not begin until the details that have been approved as acceptable, have been fully implemented in accordance with the approved details.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. In particular the Council has engaged in pre-application discussions.

### **Consideration Deferred**

**63/2016/17523 Proposed new car park (up to 180 spaces), improvements to sports pitch including improved playing surface and marking out of pitch, site access and associated ancillary works, land adjacent to Carleton New Road, Skipton** – to allow further discussion to take place with Sport England and the Football Association. (\*)

**2017/18286/FUL Conversion of barn to dwellinghouse, Calterber Barn, Crina Bottom, Clapham** – to enable the Development Control Manager to assess and report back to the Committee's next meeting on its proposed grounds for refusal, summarised as follows:-

"The proposed development is contrary to saved Local Plan Policies H8, ENV1 and Paragraph 55 of the National Planning Policy Framework." (\*)

**2017/18477/FUL and 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, Town Hall, High Street, Skipton** – pending a site visit. (\*)

(\*Representations received were reported within the case officer's report / were reported at the meeting.)

(SV Indicates site visit held on the morning of the meeting.)

### **Minutes for Decision**

- None -

Chairman.