



# **CRAVEN**

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**D I S T R I C T**

## **PLANNING COMMITTEE AGENDA**

**DATE: Wednesday, 30th August 2017**

### **INDEX OF PLANNING APPLICATIONS**

Item No.	Application Reference No.	Name of Applicant	Site Address	Page No's
1.	63/2017/18117	Mr T Clayton	16 Park Wood Crescent, Skipton.	2 - 10
2.	2017/18144/FUL	Co-op Estates	Three Peaks Filling Station, New Road, Ingleton.	11 - 20
3.	2017/18149/FUL	Mr Mike Medley	Reedshaw Farm, Reedshaw Lane, Cowling.	21 - 27
4.	2017/18240/HH	Mr Philip Barrett	14 Beanlands Drive, Glusburn.	28 - 31

## REPORT TO PLANNING COMMITTEE ON 30th August 2017

**Application Number:** 63/2017/18117

**Proposal:** Single storey rear extension to dwellinghouse (resubmission of application 63/2016/17350)

**Site Address:** 16 Park Wood Crescent Skipton BD23 1UF

**On behalf of:** Mr T Clayton

**Date Registered:** 5th June 2017

**Expiry Date:** 31st July 2017

**Case Officer:** Mr Matthew Taylor

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**This application has been referred to the Planning Committee at the request of Councillor Dawson. The reason for the request is due to the level of public interest in the application. Councillor Dawson has also requested that members of the committee visit the site before making a decision.**

### **1. Site Description**

- 1.1 The application relates to no. 16 Park Wood Crescent – a detached bungalow fronting onto a cul-de-sac characterised by similar properties of one and two storeys in height. The bungalow follows an L-shaped footprint with an integral garage to the northeast corner running at right angles to the main dwelling which follows a longitudinal ridgeline forming facing gables to the front and rear elevations. The external surfaces of the property are finished in a combination of stone and render, with a grey concrete tiled roof.
- 1.2 Ground level falls in an easterly direction along the cul-de-sac and in a southerly direction across the rear gardens of properties on Park Wood Crescent where they back onto the amenity areas of dwellings at a lower level on Park View. The adjacent property to the west (no. 14) is a two storey dwellinghouse which occupies a staggered layout in relation to the rear-facing gable of no. 16. Number 14 has a single storey lean-to extension to the southwest corner. The adjacent dwelling to the east (no. 18) is a bungalow of a similar size and design to no. 16, but is set on lower lying ground approximately 0.25m below the application property. Number 18 has a flat-roofed conservatory to the rear of its integral garage which aligns with its rear-facing gable. There is a close-boarded timber fence topped by a trellis reaching a total height of approximately 2m along the shared boundary with no. 18. The boundary with no. 14 comprises lower-level hit-and-miss fencing linked by a taller trellis and gate.
- 1.3 The closest dwelling to the rear (no. 10 Park View) is two storeys in height and is set at a significantly lower level approximately a full storey height below the application bungalow. The rear garden of no. 16 follows a stepped arrangement set across two tiers which follow the southerly drop in levels to the rear of the site. A retaining wall divides the two tiers of the garden and the southern boundary with no. 10 Park View comprises a close-boarded timber fence topped by a curved trellis reaching approximately 1.8m in height. A number of tall, mature trees are located to the northern end of the rear garden of no. 10 Park View alongside the dividing boundary fence.

### **2. Proposal**

- 2.1 The application seeks permission for the construction of a single storey extension to the rear of the bungalow. The extension would project 4m from the existing rear-facing gable to the southwest corner of the dwellinghouse and would measure 6m in width. The external walls of the extension

would comprise a solid dwarf wall up to 1.7m in height, with glazing to three sides between the top of the dwarf wall and the eaves. The extension's roof would be of a glazed construction and would follow a hipped profile reaching 3.2m in height to the eaves and 5.1m to the ridge.

2.2 The application also includes the construction of a 0.9m wide staircase to the northeast corner of the extension which would provide external access to a doorway on the east side. The staircase would measure 2.4m in length and would terminate at a 0.9m square, level threshold alongside the doorway. The staircase would be enclosed by a 0.9m high balustrade.

2.3 The application follows an earlier planning approval for a single storey rear extension issued on 16 November 2016 (application reference 63/2016/17350). The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 allow a second application for the same character or description of development to be made on the same site by or on behalf of the same applicant within 12 months of the date of the grant of a previous planning permission without paying a fee. As the current proposal satisfies the exemption set out in the abovementioned regulations, it is a resubmission of application 63/2016/17350.

### **3. Relevant Planning History**

3.1 63/2016/17350 – Single storey rear extension to provide additional sun room – Approved 16 November 2017.

### **4. Planning Policy Background**

4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the "CDLP").

#### **4.2 National Policy:**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

#### **4.3 CDLP:**

H20 – Extensions to Existing Dwellings

### **5. Parish/Town Council Comments**

5.1 *Skipton Town Council* – Object to the application. Comments submitted 8<sup>th</sup> August 2017 as follows:

- "The Committee object strongly as they notice that the development will be only 18 metres away from the neighbouring property, 10 Park View, meaning the development would overlook the aforementioned neighbour."

### **6. Consultations**

6.1 No notification to statutory consultees is necessary for this application.

### **7. Representations**

7.1 The appropriate neighbouring properties were notified of the application by letter on 17 May 2017 and, following the receipt of amended plans, for a second time on 9 June 2017. Neighbours were afforded a minimum of 21 days to comment on the application on both occasions. A total of four letters have been received in objection to the application from nos. 9 and 10 Park View (the latter submitting two separate letters) and no. 14 Parkwood Crescent. The points of objection are summarised as follows:

- The submitted documents are incorrect and incomplete. In particular, some of the drawings referred to in the application form have not been published on the Council's website and the drawings which have been submitted are inaccurate, imprecise, contradictory and fail to provide a full set of elevations. The applicant has also incorrectly signed two ownership certificates.

**Officer note:** When originally submitted the application did not include accurate scaled drawings and the certificate of ownership had been completed incorrectly. Accordingly, the application was referred back to the applicant.

- The current application is not a resubmission of application 63/2016/17350 because that permission has not expired and the current application is for a different design.

**Officer note:** The reason why the application is described as a resubmission is explained in paragraph 2.3.

- The description of the rear extension has been confused. When originally submitted it was a hipped lean-to (not double-hipped) and is now pitched with a hipped end.

**Officer note:** The application was originally described as “external 6m x 4m double hipped external conservatory with blue tinted self cleaning glass roof”. This description was subsequently updated following the receipt of amended plans to read “single storey rear extension to dwellinghouse (resubmission of application 63/2016/17350)”. The neighbour notification letters sent on 9 June 2017 contain the updated description and the application is now being assessed on the basis of the amended plans received on 5 June 2017.

- The annotation of materials on drawing no. 848/6E describes the roof of the extension as matching the existing tiled roof despite a contradictory statement that it is to be constructed in glass. The drawing does not state whether the glazing in the southwest and southeast walls is clear or obscured.

**Officer note:** Despite the annotation error on drawing no. 848/6E, the glazed finish to the roof is apparent when inspecting the elevational drawings and is annotated on the proposed ‘south east view’. The plans make clear that the windows in the west facing elevation of the extension (facing no. 14 Park Wood Crescent) are to be fixed (non-opening) and fitted with obscured glass. There is no such annotation in respect of the rear (south) and east (side) facing windows. Therefore, these will not be fixed or fitted with obscured glass.

- The applicant is relying on the presence of trees and hedges in the garden of no. 10 Park View to screen the extension and restrict opportunities for overlooking towards the neighbouring house and garden. As no. 10 Park View is not part of the development site and the applicant has no control over the retention of the existing vegetation, this cannot be relied upon to provide the necessary screening. Moreover, the occupiers of no. 10 intend to lop these trees in order to improve light levels to the rear of their property.
- The application is to be assessed against the 1999 Craven District Local Plan. This includes the policies in ‘Appendix F – Residential Extensions’. Section 3.6 of the Appendix states that “tree and hedge planting **NOT** [sic] adequate alone for screening”. When approving application 63/2016/17350, the Council incorrectly applied the policies in Appendix F of the Local Plan by justifying the extension on the basis that the vegetation in the rear garden of no. 10 would screen views towards the neighbouring dwelling. Therefore, the Council’s decision in respect of application 63/2016/17350 is flawed and should not be used as a basis to establish the principle of development on the site.
- As the current proposal now includes uninterrupted glazing to all three elevations it will have an even greater impact on the privacy of neighbouring occupiers due to overlooking when compared to application 63/2016/17350.
- The proposed extension would be located less than 21m from the house at no. 10 Park View and less than 10.5m from the rear garden boundary. The proposal is therefore contrary to the spacing standards set out in policy 3 of Appendix F. The fact that the ground floor windows of the extension would be in an elevated position will exacerbate the intrusion to the privacy of no. 10 as ground floor rooms are used more frequently during the day than those at first floor level.
- The applicant has recently removed vegetation in their own rear garden but relies on that in the garden of no. 10 Park View to screen the extension. The applicant has also requested that the

trees to the rear of no. 10 Park View are reduced to a height of 3m and that any branches overhanging their property are cut back to the boundary line. The requests by the applicant contradict their position which relies on the retention of the existing trees and hedges at no. 10 to make their development acceptable.

- The side of the extension facing no. 14 Park Wood Crescent is too close to the shared boundary and the elevated position of the glazing will infringe upon the privacy of the garden area and patio to the rear of the adjacent property. The extension should be reduced in size and the windows facing the boundary with no. 14 fitted with obscured glass.
- The extension will be out of scale with the host dwelling and would be overly dominant.

## **8. Main Issues**

8.1 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development which should be seen as the “golden thread” to guide decision making. The NPPF makes clear that, for decision taking, this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

8.2 Having regard to the relevant policy context, the nature of the development applied for and the representations received from objectors, it is considered that the main issues in this case are:

1. The proposal’s effects on the character and appearance of the area.
2. The development’s impact on the privacy and amenity of neighbouring occupiers.

## **9. Analysis**

### Comparison with application 63/2016/17350:

9.1 The current application follows the grant of planning permission for a single storey extension to the rear of no. 16 pursuant to application 63/2016/17350. The extension proposed under the current application is identical in length, width, layout, eaves height and positioning to that previously approved. The current proposal differs from the previous application only by virtue of the following:

- The ridge height of the proposed extension is 0.2m lower than that previously approved and the roof would have a hipped end with a glazed finish rather than a solid, dual-pitched pike finished in render.
- The upper sections of the external walls (between the top of the dwarf wall and the eaves) would be composed entirely of glazing rather than incorporating separate windows divided by intervening sections of solid wall.

9.2 Objectors opine that the decision to grant planning permission for application 63/2016/17350 was flawed and that this decision should have no bearing on the assessment of the current application.

9.3 While it is the case that each application is to be considered on its individual merits, the fact that there is an extant planning permission for a similar form of development which could be implemented without delay is a material consideration which must carry significant weight in the planning balance. Planning permission 63/2016/17350 has not been withdrawn and it remains extant. Accordingly, its existence cannot be dismissed and it would be unreasonable for the Local Planning Authority to give this extant permission no weight in the decision making process.

9.4 Moreover, as planning permission 63/2016/17350 has been issued and is extant, the current application does not provide an opportunity to re-assess the merits of the previously approved scheme.

#### Character and appearance

9.5 Criterion (1) of CDLP policy H20 indicates that permission will be granted for extensions to existing dwellings provided that “the scale, design, proportion and materials of the extension are such that they respect the original property and do not have an adverse effect on the street scene”.

9.6 Paragraph 58 of the NPPF identifies six principles of good design and paragraph 64 states that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area”.

9.7 The extension would protrude from the rear-facing gable to the southwest corner of the bungalow and, despite comprising a relatively high dwarf wall to its base the glazing between sill and eaves level, combined with the glass exterior to the roof, would give the enlargement the appearance of a conservatory. The ridgeline of the extension would be set below that of the main dwelling and the hipped end to its southern roof plane would minimise its overall bulk and massing when seen against the backdrop of the existing building. The extension would also be set in 0.5m from the western wall of the rear-facing gable in order that it is seen as a subservient addition to the host property.

9.8 The extension would be located to the rear of the dwellinghouse and, by virtue of its siting, would not be visible from public vantage points on surrounding highways. Accordingly, it would have no discernible effects on the appearance of the street scene. It is noted that several other properties on Park Wood Crescent have benefited from conservatory extensions (e.g. nos. 1, 4, 10, 12 and 18) and such enlargements are not uncommon features in the area.

9.9 The proposed extension, by virtue of its size, scale, height, layout, materials and design, would be compatible with the character of the host dwelling and would have no adverse effects on the appearance of the street scene. It is therefore in accordance with the requirements of CDLP policy H20 and the NPPF.

#### Amenity considerations

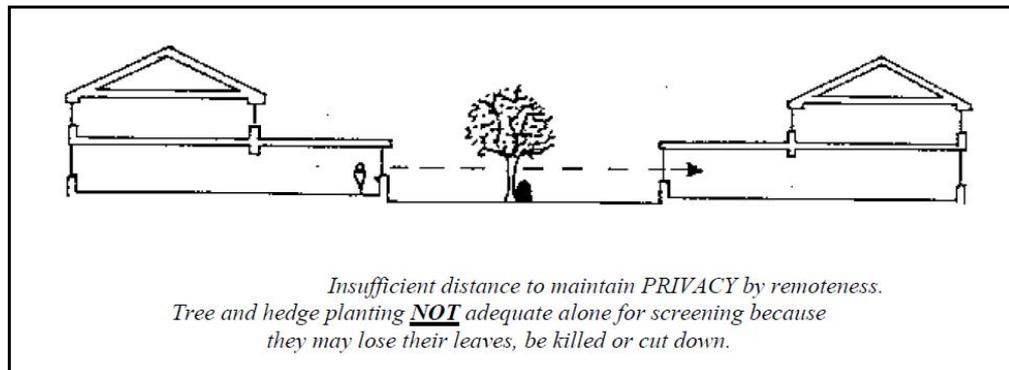
9.10 Criterion (2) of CDLP policy H20 requires that extensions to dwellings do not result in any unacceptable loss of privacy and amenity, including sunlight and daylight, to neighbouring residents.

9.11 In addition, the fourth bullet point to paragraph 17 of the NPPF states that one of the core planning principles of the Framework is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

9.12 Objectors have referred to Appendix F of the CDLP which provides supplementary guidance to Local Plan policy H20. Specifically, sections 3a and 3b of policy 3 state as follows:

- a) “Except in special circumstances extensions will not be acceptable where they include windows to habitable rooms with an unrestricted view within 21 metres of any habitable room windows in any surrounding residential properties.”
- b) “Except in special circumstances extensions will not be acceptable where they include first floor clear glazed windows within 10.5 metres of the rear boundaries of any residential properties to the rear of the site.”

9.13 Reference is also made to the diagram that follows paragraph 3.6.2 and which indicates that tree and hedge planting alone will not provide adequate screening where the abovementioned separation distances are not achieved “because they may lose their leaves, be killed or cut down.” A copy of this diagram is shown in Figure 1 below.



**Figure 1** – Extract from Appendix F of CDLP.

- 9.14 In addition to the above, and in relation to side-facing windows, policy 4 of Appendix F indicates that “Except in special circumstances extensions will not be acceptable where they contain window openings to habitable rooms in side elevations which directly overlook habitable room windows or private garden/amenity areas of other residential properties”.
- 9.15 Paragraph 3.6.3 of Appendix F clarifies that, for the purposes of policies 3 and 4, “habitable rooms shall include lounge/living rooms, kitchens, bedrooms and studies”. The application seeks permission for an extension which is to be used as a ‘sun room’. This is considered to be a “lounge/living room” for the purposes of Appendix F and, accordingly, is a habitable room.
- 9.16 As set out in paragraph 1.1, Appendix F of the CDLP provides supplementary guidance which is intended to advise householders on the “broad design principles which the Council will normally consider when faced with a planning application”. This guidance should be read in conjunction with the criteria in saved Local Plan policy H20 which provide the prevailing policy context under which applications for extensions to dwellinghouse are to be assessed. With respect to amenity considerations, the overriding test set out in criterion (2) of policy H20 is that developments “[do] not result in any unacceptable loss of privacy and amenity, including sunlight and daylight, to neighbouring residents”.
- 9.17 While Appendix F provides guidance concerning how amenity impacts will be assessed, it is secondary to the principal test of saved Local Plan policy H20(2) and provides an aid to decision making rather than a rigid set of rules which must be strictly adhered to in every case regardless of individual circumstances. Therefore, it does not follow that a development which fails to comply entirely with the guidance in Appendix F should be refused. Moreover, it should be noted that, as the Local Plan dates from 1999, its policies and appendices do not take account of the various relevant changes in national planning policy and legislation which have occurred in the meantime. In this case, the provisions of the NPPF and the 2015 Town and Country Planning (General Permitted Development) (England) Order (the “GPDO”) are relevant.
- 9.18 The extension would protrude into the garden area to the south of the existing rear-facing gable. While this land is set at a similar level to the garden of no. 14 to the west, it is elevated *circa* 0.25m above the garden of no. 18 to the east and approximately a full storey height above the garden of no. 10 Park View to the south. Windows would be located in the west, south and east facing elevations of the extension and, owing to its internal finished floor level, would have views from an elevated aspect towards the garden areas of neighbouring dwellings.
- 9.19 The extension would be set in 1.6m from the shared boundary with no. 14 which is formed by low-level fencing and a taller trellis, and 4.3m from the boundary with no. 18 which is formed by a *circa* 2m high close-boarded fence. The submitted plans indicate that the windows to the west side of the extension facing no. 14 are to be fixed (non-opening) and fitted with obscured glass, and this could be controlled through the imposition of an appropriate condition. Given the characteristics of the windows proposed to the west side of the extension and the separation of those to the east side with the shared boundary of no. 18, combined with the presence of solid screening to a height of

approximately 2m along this boundary, it considered that adequate mitigation would be put in place to ensure that the extension would have no unacceptable effects on the privacy of these occupiers through overlooking.

- 9.20 At present, the rear-facing gable of no. 16 contains two bedroom windows looking in a southerly direction towards the garden and dwellinghouse at no. 10 Park View. These windows are located approximately 22m from the rear elevation of the neighbouring dwelling and 9m from the edge of its rear garden area. Closer views from the same aspect, albeit at a lower level, are also available from the top tier of the garden area to the rear of no. 16 which is also significantly elevated in relation to no. 10. There are several mature trees and other vegetation flanking the shared boundary to the northern edge of the neighbour's rear garden which presently provide screening between no. 10 Park View and the application dwelling.
- 9.21 The proposed extension would reduce the spacing between the opposing rear elevations of the two dwellings to approximately 18m, and 5m with respect to the shared garden boundary. Although this level of separation falls below the guideline set out in Appendix F (though the spacing standard in section 3b relating to garden boundaries makes clear that this only applies to first floor windows), given the views already available from the existing south-facing bedroom windows and elevated garden area to the rear of no. 16, it is not considered that the extension's proximity to no. 10 Park View would result in a level of overlooking which would give rise to an unacceptable loss of privacy for the adjoining occupiers. Although the existing vegetation in the garden of no. 10 Park View, if retained, would provide screening which would further mitigate any effects in terms of overlooking, the extension's acceptability does not rely on the retention of this screening. Therefore, the development would not conflict with the requirements of criterion (2) of CDLP policy H20.
- 9.22 In reaching this conclusion, due weight has also been attached to the following 'fall back' positions which would be available to the applicant:
- a) The applicant has an extant planning permission for an extension of matching size, siting and proximity to neighbouring dwellings (reference 63/2016/17350) which also included large windows in its side and rear elevations. When considered in comparison to the impact of the extant permission, the development would have no significant effects on the privacy and amenity of neighbouring occupiers over and above those which would arise from the implementation of application 63/2016/17350.
  - b) Schedule 2, Part 1, Class A, Criterion (f) (i) of the GPDO allows a single storey extension projecting up to 4m in depth to be constructed to the rear of a detached house through the use of permitted development rights (i.e. without the need for planning permission). The only reason why permission is required for the conservatory as currently proposed is due to the extension exceeding the maximum eaves and ridge heights set out in criteria (i) and (f (ii)) by 0.2m and 1.1m respectively. The GPDO does not include any restrictions with respect to the proximity of ground floor windows to shared boundaries, nor does it require these to be fixed or fitted with obscured glass. The result of this is that, if the height of the extension was reduced to fall within the maximum parameters permitted by the GPDO, it could be constructed on the same footprint and with substantially the same window arrangement without the need for planning permission in accordance with the provisions of that legislation.
- 9.23 In terms of other amenity considerations, the extension's single storey height, spacing with neighbouring dwellings and its orientation to them (having particular regard to its northerly aspect in relation to the lower lying dwelling at no. 10 Park View), would ensure that it will not appear as an oppressive or overbearing feature in the outlook of neighbouring occupiers by reason of its size, height, siting, scale or design, and would not have any undue effects on the amenity of surrounding residents through loss of outlook or overshadowing.
- 9.24 The external staircase providing access to the east side of the extension would be of an insufficient size to provide a formal outdoor amenity space (e.g. as a terrace or balcony) and, instead, would be used on an infrequent basis as a means of access between the garden and the extension. Accordingly, it would not provide a permanently-occupied amenity space which would afford vantage

points for overlooking towards neighbouring dwellings and would not have any adverse effects on their privacy.

Other matters:

- 9.25 The property benefits from a relatively spacious curtilage with gardens to the front and rear, including a driveway which provides off-road parking. Whilst the proposed development would result in the loss of an area of garden space to the rear of the property, this would not result in a deficiency in the overall provision of outdoor amenity space at the site. Given the extension's location to the rear of the property, existing parking and access arrangements would be unaffected by the development. Accordingly, there is no conflict with the requirements of CDLP policy H20 (3) in this regard.

**10. Conclusion**

- 10.1 The proposed extension, by virtue of its size, scale, height, layout, materials and design, would be compatible with the character of the host dwelling and would have no adverse impact on the appearance of the surrounding area. The extension would not have any undue effects on the amenity of adjoining occupiers due to loss of outlook or overshadowing, nor would it result in an unacceptable loss of privacy to neighbouring occupiers through overlooking by virtue of its fenestration arrangement, proximity to or relationship with surrounding dwellings. The proposal is therefore in accordance with relevant local and national planning policies.

**11. Recommendation**

- 11.1 That planning permission is **granted** subject to the following conditions:

**Time limit for commencement**

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

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

**Approved plans**

2. This permission relates to the following plans:

- Drawing no. 848/1 – Location plan received 5 June 2017.
- Drawing no. 848/2B – Existing and proposed site plan received 5 June 2017.
- Drawing no. 848/5D – Proposed ground floor layout and roof plan received 5 June 2017.
- Drawing no. 848/6E – Proposed elevations received 5 June 2017.

The development shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan and the National Planning Policy Framework.

**During building works**

3. The external surfaces of the extension shall be constructed in accordance with the materials detailed on the approved plans.

Reason: To ensure the use of suitable materials which are compatible with the character and appearance of the host dwelling and its surroundings in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan policy H20, and paragraph 58 of the National Planning Policy Framework.

### **Ongoing conditions**

4. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all windows on the west facing elevation of the extension (those facing the boundary with no. 14 Park Wood Crescent) hereby approved shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening. The duly installed windows shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and adjacent properties in order to preserve the privacy of adjoining occupiers in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan policy H20, and paragraph 17 of the National Planning Policy Framework.

## REPORT TO PLANNING COMMITTEE ON 30th August 2017

**Application Number:** 2017/18144/FUL

**Proposal:** Redevelopment of existing petrol filling station to create a new petrol filling station kiosk

**Site Address:** Three Peaks Filling Station New Road Ingleton LA6 3DL

**On behalf of:** Co-op Estates

**Date Registered:** 9th June 2017

**Expiry Date:** 4th August 2017

**Case Officer:** Andrea Muscroft

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**This application has been referred to Planning Committee by Councillor Lis due to the level of public interest.**

1. Site Description

- 1.1 The application site comprises of a petrol filling station, car wash/air facility and convenience goods store located on the southern side of the A65. Also located within the application site to the southeast of the petrol pumps is a detached bungalow currently empty. The rear boundaries of the residential caravans within Three Peaks Caravan Park abut the site to the south. Properties to the west (High View) are separated from the site by an intervening stone boundary wall and a private vehicle access. Beyond the residential properties located on High View is an established industrial estate.
- 1.2 Turning to the east of the site is the Pit Yard a business premises selling used tractors with an associated residential dwelling beyond. To the north of the A65 are residential dwellings.
- 1.3 Access is available directly off the A65.
- 1.4 The site is enclosed along the western and southern boundaries by concrete walls ranging from around 2m in height before falling to 0.5m. Along the eastern boundary is a combination of timber fencing in excess of 1m in height and a low level wall with metal mesh fencing above.
- 1.5 The application site is within the development limits Ingleton and also lies within Flood Zone 2 & 3 as defined by the Environment Agency.

2. Proposal

- 2.1 The proposal is seeking the redevelopment of the existing petrol service station.
- 2.2 The proposed development would involve the demolition of the existing retail kiosk, the detached bungalow and petrol forecourt.
- 2.3 Instead a two storey building to provide Retail (A1) at ground floor level, with office and storage at 1<sup>st</sup> floor will be constructed to the west of the site and will have a proposed total floor-space of approximately 464 sqm (284sqm of which would be sales floor). The building will have a glazed frontage at ground floor.
- 2.4 The proposed building would measure 12.3m x 2.7m with a maximum height of 8m falling to 5.7m at the eaves and would be externally finished with coursed stonework and coloured render (polar white

k-rend) under a slate appearance roof. Windows and doors would comprise of aluminium units externally finished in Dark Grey (RAL7043).

- 2.5 In addition, the proposal includes the construction of a replacement petrol filling station canopy, providing three refuelling positions, installation of replacement underground tanks and the repositioning of the air/water facilities which would be located to the south of the site.
- 2.6 Proposed operating hours and deliveries.
- Opening hours 06.00 – 23.00 – 7 days a week.
  - Delivery hours 07.00 – 20.00 – 7 days a week.
- 2.7 The proposal would result in some alterations to the current vehicle access/exit from the site and the parking/turning areas arrangements.
- 2.8 The proposal would provide 19 parking spaces, 2 of which would be for the mobility impaired and parent and child.
- 2.9 **Officers Note:** The existing right of way between the application site and Three Peaks Caravan Park will be retained.
- 2.10 The proposal indicates that the proposed boundary treatments would comprise of 2.2m high closed boarded timber fencing, 3.5m timber knew rail fencing and 2.5m high hit and miss timber fence and gates.
- 2.11 The proposal also indicates that the hard landscaping would comprise of black tarmacadam, tobermore “fusion” paving and silver brush concrete.

### 3 Planning History

- 3.1 5/45/118 – Construction of new forecourt canopy and carrying out of associated forecourt works for improved petrol sales room – Approved December 1976.
- 3.2 5/45/118/A – New forecourt canopy and associated forecourt works – Approved July 1977.
- 3.3 5/45/118/B – Change of use of service station to include sale of motor cycles, cars etc – Approved May 1978.
- 3.4 5/45/118/C – Construction of new car and motorcycle showroom – Approved February 1979.
- 3.5 5/45/118/D – Extension to existing shop for sale of good associated with motorcycles and cars – Approved May 1979.
- 3.6 5/45/118/E – Construction of portable kiosk – Approved March 1980.
- 3.7 5/45/118/F – Demolition of existing garage and shop, extension of existing bungalow, erection of new cafeteria and shop, and alterations to vehicular access – Approved February 1981.
- 3.8 5/45/118/G – Change of use of existing café to form supermarket – Approved October 1984.
- 3.9 5/45/118/H – Alterations to existing filling station mini market entrance, with extension to existing pump area canopy over 2no. new pump stations – Approved March 1992.
- 3.10 5/45/118/J – change of use of detached shop unit to fast food outlet and erection of glazed extension to front of main building – Approved March 1994.
- 3.11 45/2015/15633 - The installation of a new covered area to the rear of the store – Approved May 2015.

### 4 Planning Policy Background

- 4.1 Saved Policies R1, R2 & T2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan.
- 4.2 The National Planning Policy Framework – NPPF.
- 4.3 Planning Practice Guidance - PPG

## 5 Parish/Town Council Comments

5.1 **Ingleton Parish Council:** Supportive of the application, but ask that consideration is given to the installation of a barrier to prevent the nuisance of bikers using the garage area after hours. Also the installation of screens during works to prevent nuisance to nearby properties. Concerns have also been raised regarding the service drains that run under the site. Finally, it is hoped that there will be sufficient height to the canopy to allow access for HGV vehicles and that toilets should be available for public use at the garage.

5.2 **Officers Note:** The scheme does not include public toilets.

## 6 Consultations

6.1 **CDC Contamination Officer:** The site has been identified as being potentially contaminated land. Therefore it is recommended that if approved a condition is imposed requiring the applicant/developer to implement remedial work as specified within site report and in the instance of contamination being found on the site to notify the Local Planning Authority.

6.2 **CDC Environmental Health:** Recommend conditions restricting the construction hours. The applicant/developer is also advised to implement methods to control the movement of dust and to ensure that the recommendations within the FRA are implemented. As insufficient technical data in relation to noise has been received it is recommended that a condition is imposed requiring noise assessment shall be submitted.

6.3 **Environment Agency:** No comments received within the statutory period.

6.4 **NYCC Highways Authority:** No objection subject to the use of appropriate conditions relating to the construction requirements for access/verge crossings and parking spaces.

## 7 Representations

7.1 Letters of notification were sent out directly to local residents. As a result 6 letters of objection were received and 1 letter of observation. Comments have been summarised below:-

### 7.2 **Amenity issues.**

- Concern over the potential impact of the extended opening hours with regards to noise nuisance.

### 7.3 **Highway issues**

- Concern over highway safety for both vehicle users and pedestrians.
- Concern over young people using the parking area to meet after the premises is closed.

### 7.4 **Other**

- There should be a pelican crossing across the A65.
- Support the use of a barrier system to close off the car parking area after hours.
- Can the site be screened during the demolition stage to reduce dust and dirt impinging on the health of adjacent residents?
- Can local residents be assured that the drains and sewerage outlets will not be disturbed?
- Concern that the Noise Survey Report has not taken any readings from the nearest dwelling to the development.
- No customer toilet facilities are shown on the drawings. Concern that this could lead to males urinating at the back wall.
- Would like the Council to consider screening along the back wall from the gate to the corner nearest No. 12.
- Proposal would result in the loss of a residential dwelling.

- Errors within the submitted proposal for example no reference to loss of housing.

## 8 Summary of Principal Planning Issues

8.1 Principle of development

8.2 Visual impact of development

8.3 Impact of development on the amenity of neighbouring properties.

8.4 Highway Issues.

8.5 Other issues.

8.6 Conclusion.

## 9 Analysis

### 9.1 **1. Principle of development**

9.2 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means that where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate developments should be restricted.

9.3 Paragraph 19 of the NPPF advises that the planning system should do everything it can to support sustainable economic growth and should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.

9.4 This theme is continued in paragraph 20 of the NPPF which states that to help achieve economic growth, LPA should plan proactively to meet the development needs of business and support an economy fit for the 21st century. However, the document also emphasises the need to ensure the vitality and viability of town centres and to support their role as the heart of local communities.

9.5 The application site lies within the development limits of Ingleton on land identified by the LP as an Established Industrial Area with access to the site directly off the A65. However, the site is not within any recognised centre, therefore in policy terms the site is an out-of-centre location.

9.6 Notwithstanding this, the planning history of the site includes permission (ref: 5/45/118) for the construction of new forecourt canopy and the carrying out of associated forecourt works for improved petrol sales room. However, since the grant of the original planning approval and subsequent permissions the retail needs of the business have changed. The proposal is therefore seeking permission for the redevelopment of the petrol station which would include an increase in the level of retail floor space from 108sqm to 284sqm in order to meet the growing retails needs of the business.

9.7 The existing petrol station was deemed acceptable in principle under the policy requirements of the Local Plan and although the proposal would result in an increase in the level of retail space the proposal is still considered to be consistent with both the Local Plan and NPPF policy and is therefore considered acceptable in principle. Although the retail use needs further consideration with regards to the potential effects on the vitality and viability on Ingleton Village centre which will be addressed in the next section.

### 9.8 **Vitality and Viability.**

9.9 Policy R1 seeks to limit new retail development to town centre sites and requires that a sequential test is submitted as part of any subsequent application. This requirement is consistent with the NPPF which states in paragraph 24 that “applications for main town centre uses to be located in town centres, then in edge of centre locations”. Only if “suitable” site “are not available should out of centre sites be considered”. Paragraph 27 goes further and states that an application should be refused where it “fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors”.

- 9.10 R2 is also supportive of new retail development provided the proposal can be accommodated in terms of traffic and parking, it does not result in the loss of residential accommodation, does not affect the townscape or local amenity, is not located in a protected local space or amenity area and not on land allocated for another purpose and does not affect a site of historic importance.
- 9.11 More up to-date guidance on such matters can also be found within the NPPF & PPG. With respect to the requirement for a sequential test it is acknowledged that the site has currently has some A1 use on the site and that the proposal seeks to increase the retail element.
- 9.12 Sequential Test and Impact Test.**
- 9.13 Paragraph 24 of the NPPF states that LPA's should apply a sequential test to planning applications for main centre uses that are not in an existing centre. The aim is to ensure that new main town uses are located within town centres or edge of centre locations. The guidance also states that when considering an edge of centre site that preference should be given to accessible sites that are well connected to the town centre.
- 9.14 In this instance, however, it is considered that the sequential approach should not be applied as the proposal is considered to be for the redevelopment of an existing convenience store. Similarly, it is considered that the increase in retail space would not have a negative impact on the existing retailers currently operating within Ingleton Village Centre than currently experienced as the retail element has been operating on the site in excess of 10 years without any adverse effects. Therefore, it is considered that the proposal would not harm the overall retail function of the village centre and therefore is compliant to the requirements of Saved Policies R1 & R2 of the Local Plan and the aims and objectives of the NPPF that seeks to support economic growth in rural areas.
- 9.15 Visual impact of development**
- 9.16 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development that is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 58 expands on this theme by stating that developments should function well, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to work and visit.
- 9.17 The site currently comprises of two single storey structures with the exception of the canopy and large areas of hard standing. It is considered that the existing single storey structures on site are of limited architectural merit and that the redevelopment of the site with the construction of a modern purpose built two storey building and associated infrastructure with improved hard landscaping would not have a negative visual impact on the surrounding area or on the wider street scene.
- 9.18 In addition, the proposed two storey building would be constructed from high quality materials that would in officer's opinion provide a visual enhancement to the existing street scene. Proposed boundary treatments would also not result in any visual harm on the existing street scene.
- 9.19 In conclusion, it is considered that the proposal has been designed to function well over its lifetime and that the scale, design and appearance of the building and associated infrastructure would create an attractive place to work and visit. Therefore, the proposal is considered to accord with the aims and objectives of the NPPF.
- 9.20 Impact of development on the amenity of neighbouring properties.**
- 9.21 The National Planning Policy Framework states that LPAs should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 109 also states that the planning system should ensure that new development does not contribute to unacceptable levels of noise pollution. The General Development Principles of the Local Plan states that all developments should protect the amenities of neighbouring residents and occupiers.
- 9.22 The proposal would result in the relocation of the kiosk to the western part of the application site thus increasing the separation distances between Pit Yard to the east and caravans to the south ranging from 21m to 35m. It is therefore considered that the proposal would not result in any loss of natural light, privacy or appear overbearing when viewed from any habitable rooms or private amenity areas.

- 9.23 It is also accepted that as a consequence of the relocation, the building would be positioned closer to properties located within High View identified as Apple Tree Cottage, Cherry Tree Cottage and Plum Tree Cottage to the west of the site. However, notwithstanding this, it is considered that the separation distances ranging between 15.8m to 25m, combined with existing natural screen, the orientation of the proposed building to these properties and that the rear elevation would remain blank are sufficient to ensure that the occupiers of these properties do not experience any loss of privacy or amenity.
- 9.24 Similarly, whilst the separation distance between the proposed building and Damson Tree Cottage is lower than the adjacent dwellings at approx. 7.5m. It is considered that as a consequence of the orientation of the existing dwelling and the proposed building that the occupiers would not suffer any unacceptable loss of privacy or amenity from the proposal.
- 9.25 Concerns have been raised over noise disturbance arising from individuals using the car park after hours and that the extended operating hours will exacerbate the situation. The increase in operating hours would result in an increase in customers visiting the site and thus an increase in noise at times earlier and later than at present. However, the application site is located adjacent to the A65 a busy main artery road and adjacent to an established industrial estate. Therefore, it is not considered that the extended operating hours would result in any unacceptable increase in noise levels than currently experienced.
- 9.26 Turning to potential noise nuisance arising from the plant area. Whilst CDC Environment Protection officers have highlighted that the information provided was insufficient to make an assessment. It is considered that this can be managed by the use of an appropriate condition.

#### **Highway Issues.**

- 9.27 T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic volumes in excess of the capacity highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.28 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- 9.29 Paragraph 32 of the NPPF states that: 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 9.30 The current proposal seeks to alter the current entry and exit points from A65. In addition, the proposal would provide 19 parking spaces. Concerns have been expressed with regard to highway safety, however, vehicle movements associated with the 19 parking spaces are not considered to have a significant negative impact on highway safety for both pedestrian or vehicle users. NYCC Highways have been consulted and have raised no objection to the proposal subject to the use of appropriate conditions.
- 9.31 Local residents have raised the issue of a barrier to restrict access after operating hours. However, this would be contrary to the conditions recommended by NYCC Highways.
- 9.32 In conclusion, the proposed changes to the entry/exit points and parking/turning arrangements would not create conditions contrary to highway safety. The proposal is therefore considered to meet the requirements of Saved Policy T2 of the Local Plan and the aims and objectives of the NPPF.

#### **9.33 Flood Risk**

- 9.34 The application site lies within Flood Zone 2 & 3 as identified by the Environment Agency, Flood Zone 3 comprises land assessed as having a 1 in 100 year or greater annual probability of river flooding (>1%). However, the submitted Flood Risk Assessment states that the ground floor level would be above the 1 in 1,000 year flood level. The document however also acknowledges that New Road could be flooded to a maximum depth of 0.3m. The Environment Agency have been consulted but no comments have been received at the time of compiling this report. Notwithstanding this, it is

considered based on the information submitted that the proposal would not result in any increase in the risk of flooding than currently experienced and is therefore acceptable.

9.35 **Other issues.**

9.36 Concerns have been raised over the lack of toilet facilities. In particular it has been stated that as a consequence of no toilet facilities male visitors have been urinating against the back wall. Whilst acknowledging these concerns this is not a material planning consideration and will not form part of the assessment of this application.

9.37 Concerns have been raised with regard to the loss of a dwelling as a consequence of the redevelopment on the site. However, on balance it is considered that the economic benefits outweigh the loss of a single dwelling.

9.38 **Conclusion.**

9.39 Paragraph 14 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

*specific policies in this Framework indicate development should be restricted.'*

9.40 In this instance the application site falls within the development limits of Ingleton and the proposal would continue to provide economic benefits to village. The proposal would not have any unacceptable adverse impacts on the character and appearance of the area, nor would the proposal have an unacceptable adverse impact on the amenity of neighbouring properties.

10 Recommendation

10.1 To grant approval subject to the following conditions.

Conditions

**Time conditions**

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

Reason: To ensure a compliance with section 91 of the Town and Country Planning Act 1990.

**Approved plans**

2. The approved plan comprises drawing No's

- 5945(P)100 Rev A – Site Location Plan received by Craven District Council on the 19<sup>th</sup> May 2017.
- 5945(P)101 – Proposed Block Plan received by Craven District Council on the 19<sup>th</sup> May 2017.
- 5945(P)503 – Propose Site Plan received by Craven District Council on the 19<sup>th</sup> May 2017.
- 5945(P)103 – Proposed Building Plans received by Craven District Council on the 19<sup>th</sup> May 2017.
- 5945(P)203 – Proposed Elevations received by Craven District Council on the 19<sup>th</sup> May 2017.
- 5945(P)204 – Proposed Elevations received by Craven District Council on the 19<sup>th</sup> May 2017.

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.

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

### **During building works**

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

- 5945(P)103
- 5945(P)203
- 5945(P) 204

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

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to the site shall be erected in accordance with the details (including their siting, height, materials, finish and design) shown on drawing nos. 5945(P) 503 before the development hereby approved is first brought into use, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable relationship with the street scene in accordance with the aims and objectives of the National Planning Policy Framework.

5. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the hard landscaping scheme for the site shown on drawing no. 5945(P) 503 shall be carried out in accordance with the details shown on the approved plan before the development hereby approved is first brought into use, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable relationship with the street scene in accordance with the aims and objectives of the National Planning Policy Framework

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with the strategy outlined in the Flood Risk Assessment by EWE Associates Ltd dated May 2017. The measures contained within the Flood Risk Assessment which are designed to ensure that any risk of flooding is reduced to an acceptable level and shall be implemented before the first use of the building hereby approved, and shall be retained as such thereafter.

Reason: To ensure that the development does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of surface water in accordance with the requirements the National Planning Policy Framework.

### **Before building brought into use.**

7. Prior to the first use of the plant machinery a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that noise from this equipment (both individually and cumulatively) will not lead to Statutory Noise nuisance at the closes sensitive premises.

The plant equipment shall thereafter be installed in accordance with the details in the duly approved scheme.

Reason: To ensure that the development does not give rise to unacceptable noise and disturbance to the occupiers of surrounding residential properties, particularly during unsocial hours, in accordance with the requirements the National Planning Policy Framework.

8. Prior to the first installation of any external lighting details shall first 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. The external lighting shall only be installed in accordance with the duly approved scheme.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area and in accordance with the requirements the National Planning Policy Framework.

**Ongoing conditions.**

9. The retail unit hereby approved shall only be open for trade or business between 06.00 and 23.00 Monday to Sunday (inclusive), and deliveries of goods to the site shall only take place between 05.00 and 20.00.

Reason: In order to safeguard the amenity of surrounding occupiers and to limit the potential for noise and disturbance in accordance with the aims and objectives of the National Planning Policy Framework.

10. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site 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 requirements:

- 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 6 metres 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 the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 6 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.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to accord with the aims and objectives of the NPPF.

11. Should any 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 approved 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 current best practice.

Reason: To enable the Local Planning Authority to ensure that unexpected contamination at the site will not present significant environmental risks and that the site will be made 'suitable for use' and to accord with the aims and objectives of the National Planning Policy Framework.

12. The car parking spaces, turning areas and access shown on 5945(P)101 shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development and to accord with the aims and objectives of the National Planning Policy Framework.

### **Informative**

No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 08:00 hours and 13:00 hours on Saturdays. No Sunday or Bank Holiday working.

In respect of condition 7 you are advised to consider BS 8233:2014 Guidance on sound insulation and noise reduction for buildings.

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.

### **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 NPPF. In particular the Council has: -

- Requested information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information post validation

## REPORT TO PLANNING COMMITTEE ON 30th August 2017

**Application Number:** 2017/18149/FUL

**Proposal:** Demolition of a large reservoir and conversion of a smaller reservoir into a house (re-submission of previously approved application 22/2016/17241)

**Site Address:** Reedshaw Farm Reedshaw Lane Cowling BD22 0NA

**On behalf of:** Mr Mike Medley

**Date Registered:** 19th June 2017

**Expiry Date:** 14th August 2017

**Case Officer:** Mrs Gemma Kennedy

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**This application has been referred to Planning Committee as the proposal is a departure from the Local Plan, and it relates to a development previously determined by Planning Committee.**

1. Site Description

- 1.1 The application site is located alongside Reedshaw Lane, approximately 130m to the south of the A6068, and to the west of Cowling village. The immediate area contains a mixture of dispersed properties; farmsteads and cottages. The closest property to the site, Reedshaw Farm, is in the ownership of the applicants. Reedshaw Farm is a Grade II Listed farmhouse and attached barn dating to 1618 and 1886.
- 1.2 The site for the proposed development was formerly a Yorkshire Water reservoir and consists of two concrete structures, adjacent to one another, that were decommissioned in 2013. A reservoir was first shown to have been on site in 1896. Changes in the mid-1980s involved the draining of the reservoirs and the installation of 2 large tanks (which have now been removed following decommissioning) along with an increase in height of surrounding walls to create bankings.

2 Proposal

- 2.1 Planning permission has been granted for the smallest of two reservoirs (located at the eastern end of the site) to form a dwelling. A new access road was proposed leading off an existing agricultural access track to the east of the site. The application also involved engineering operations to remove and infill the larger of the two concrete reservoir structures, and to re-grade the land to slope gently upwards and over the new dwelling.
- 2.2 Planning permission is now sought for an amended scheme. In the main part the proposals would remain the same, but there are a number of changes as detailed out below;
- 2.3 The main change is to the access. The approved plan showed a new access road leading from an existing agricultural track to the east elevation. A garage door was to be formed in in this elevation, and there was no provision for external parking spaces. The proposed plan would also use the existing agricultural track, with the spur off to the dwelling being further to the south. Vehicles would be taken to the south elevation of the property where there would be hardstanding and access to a double garage which would be built into the slope of the main structure, but be detached from the dwelling.

- 2.4 The other changes are relatively minor in nature and include the removal of a glazed atrium roof and the creation of a larger area of sunken courtyard; moving the position of a patio at the southern end of the site further towards the south east
- 2.5 Development has already commenced on site to implement the original planning permission (22/2016/17241).
- 3 Planning History
- 3.1 22/2011/11869 - Construction of a new service reservoir opposite the existing service reservoir site on Reedshaw Lane. Decommission and dismantle existing reservoir structures. Approved 02/12/2011.
- 3.2 22/2012/13004 - Discharge of Conditions 4 & 5 of planning approval 22/2011/11869. Approved 07/12/2012.
- 3.3 22/2016/16905 - Proposed agricultural building for cattle accommodation, straw and hay storage and machinery storage (prior notification). Prior Approval not required 08/06/2016.
- 3.4 22/2016/16904 - Proposed agricultural building, yard and upgrade of existing agricultural track. Approved 23/06/2016.
- 3.5 22/2016/17241 – Demolition of a large reservoir and conversion of a smaller reservoir into a house. Approved 16/01/2017.
- 4 Planning Policy Background
- 4.1 The National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 Saved Policies ENV1, ENV2 and SRC12 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.
- 5 Parish/Town Council Comments
- 5.1 No comments received within the statutory consultation period
- 6 Consultations
- 6.1 CDC Contaminated Land: *“Due to the nature and construction of the former reservoirs on the site any risk of possible contamination would be very low. I am therefore in agreement with Worms Eye report ref Reedshaw Lane/BD220NA/2016 dated 26<sup>th</sup> September 2016. They have advised a limited intrusive investigation to confirm the presence/absence and extent of any contamination on the site. In light of this future investigation I would recommend the following condition ‘Reporting of unexpected contamination.’”* Received 28/06/2017
- 6.2 NYCC Highways Authority: *“In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: visibility is acceptable. Consequently the Local Highway Authority recommends that the following conditions are attached to any permission granted.”* Received 26/06/2017.
- 6.3 Yorkshire Water Services: *“Water Supply: The site previously belonged to Yorkshire Water. When the majority of it became surplus to operational requirements it was sold but as part of the terms of the sale, access and security requirements for the remaining water pumping station located within the site have been retained by Yorkshire Water. Vehicular access to the pumping station, including with large tankers, could be required at any time. A new water supply can be provided under the terms of the Water Industry Act, 1991. Drainage: This proposal is in an area not served by the public sewerage network. It is noted that the planning application states ‘Private Treatment Plant’ for foul water. Therefore, this application should be referred to the Environment Agency and the Local Authority’s Environmental Health Section for comment on private treatment facilities.”* Received 13/07/2017.

## 7 Representations

- 7.1 The Ramblers Association: *“As I said in respect of the previous application we consider this is a very useful proposal for improving this derelict site. We are pleased to note that public right of way 5.14/40 has now been taken into account and is shown on the site plan and will not be affected by the proposed development. We have no other comments to make.”* Received 21/06/2017.

## 8 Summary of Principal Planning Issues

- 8.1 Principle of development; visual consideration and impact on heritage assets; impact on amenity; highway safety and public rights of way.

## 9 Analysis

### 9.1 **Principle of development;**

- 9.2 The principle of residential development on this site has already been established with the granting of planning permission in January 2017 which has been implemented. The current proposal is largely in line with the original planning permission by seeking consent for the conversion of the former reservoir to form a single detached dwelling. There are no changes proposed to the amended scheme, or in planning policy, that would affect the principle of development on this site.

### 9.3 **Visual considerations and impact upon setting of heritage assets;**

- 9.4 The application site is in a rural location outside the main settlement of Cowling, and is subject to views from the surrounding area. Furthermore the former reservoirs are located within the setting of Grade II Listed Heritage asset Reedshaw Farm, with the banking surrounding the larger reservoir at a distance of only 3m from the property. In assessing the previous planning application the case officer considered that the scheme, which would remove bankings from the larger of the two reservoirs, would be beneficial by opening up views of Reedshaw Farm from Reedshaw Lane, allowing the frontage and setting of the heritage asset to be revealed. Furthermore it was considered that the man-made grass mound that would be formed over the new house would not be out of place in the undulating landscape, and the proposed dwelling was considered to be a good quality design that would be sympathetic to its surroundings and have a limited visual impact on its rural location.

- 9.5 The amended scheme would maintain and improve the appearance of the development from public viewpoints to the north and east. There would be no changes to the north elevation, and the east elevation which would be formed within a section of drystone wall (which is to be partially increased in height) would be amended to remove a garage door and pedestrian door with side glazing panel. In their place a 1.6m x 0.9m window would be formed.

- 9.6 The main amendments proposed are to the south and west elevations, which would be subject to public views largely limited to those from the public right of way which runs past the eastern edge of the site. It is these same elevations that are in proximity to the adjacent Grade II Listed property Reedshaw Farm. The proposed amendments continue to reflect the modern and interesting design of the proposed dwelling, with additional sections of glazing sheltered from view by the grassed mound. It is considered that the proposed amendments to the exterior of the dwelling would not result in harm to the character and appearance of the open countryside or the setting of the listed building.

- 9.7 The proposed amendments involve the provision of a car parking and turning area to the south of the dwelling, and to the east of Reedshaw Farm. A new dry stone wall is to be provided between the parking area and the curtilage to Reedshaw Farm. Situated to the side of the listed building, and behind the grass mound of the dwelling, it is considered that this aspect of the proposed development would not adversely affect the setting of the listed building.

### 9.8 **Neighbouring privacy and amenity;**

- 9.9 In the granting of the previous planning permission officer's considered that the removal of the former reservoirs and bankings, and re-grading of the land, would improve both outlook and daylight levels to Reedshaw Farm, improving their existing amenity. Furthermore it was not envisaged that

there would be any loss of privacy to either Reedshaw Farm or the new dwelling. It is considered that the proposed amendments to the dwelling would not result in any further changes to the privacy and amenity levels resulting from the approved development. The occupants of Reedshaw Farm would experience an increase in vehicular movements beyond the original scheme due to the repositioning of the garage and the associated parking/turning space, however these would be normal residential movements serving a single dwelling, and it is not envisaged this would be harmful to neighbouring amenity.

**9.10 Highway safety and public right of way;**

**9.11** The approved development proposed to use an existing agricultural access track, spurring off that track to access the dwelling. The amended application would continue to use this access, with the spur off now proposed further along the agricultural access track. NYCC Highways Authority have been consulted on the application, and are satisfied with the access arrangements.

**9.12** A public right of way runs through the application site, along the eastern elevation of the proposed dwelling. The eastern elevation of the approved dwelling curved out towards the public right of way, and may have necessitated its diversion. The amended plans show a straightened edge to the eastern elevation that would maintain the route of the public right of way. NYCC public rights of way have been consulted on the application and have not raised any objections.

**9.13 Other matters;**

**9.14** There are two buildings which form a water pumping station located inside the larger former reservoir on the western wall. Yorkshire Water Services require access to these structures. The plan therefore incorporates a 'cut-in' to the western banking to ensure access is retained.

**9.15 Conclusion;**

**9.16** The principle of residential development has already been established on the site through the granting of planning permission for a single dwelling formed within the reservoir, and this permission has been implemented. The current application seeks amendments to the approved scheme and it is considered that these amendments would continue to provide a good quality design, which is sympathetic to its surroundings, and would improve the setting of the adjacent Heritage Asset, Reedshaw Farm. Matters of neighbouring privacy and amenity, and highway safety, are considered to be acceptable.

**9.17** Therefore, on balance, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission.

**10 Recommendation**

**10.1 Approval**

Conditions

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

2. The approved plans comprise plan numbers;

- 002 A received by the Craven District Council on 4<sup>th</sup> July 2017.
- 003 received by Craven District Council on 22<sup>nd</sup> May 2017.
- 004 A received by Craven District Council on 19<sup>th</sup> June 2017

The development shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

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

3. The development shall not be carried out other than in accordance with the 'Method Statement and Programme' prepared by M Widdup, Planet Architecture Ltd, dated May 17 and received by Craven District Council on 22<sup>nd</sup> May 2017.

Reason: In the interests of the visual amenity of the area and the setting of a Heritage asset, and to accord with the NPPF.

4. The development hereby permitted shall not be occupied until full details of landscaping of the site, including but not limited to the roof of the dwellinghouse, and in relation to the water pumping stations, have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme 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 10 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any section of grass or sedum, or 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. Any replacement tree or shrub must be of a similar size to that originally planted.

Reason: In the interests of the visual amenity of the area and the setting of a Heritage asset, and to accord with the NPPF.

5. The development hereby permitted shall not be occupied until full and complete details of the following aspect of the development proposal have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details except where conditions attached to this planning permission indicate otherwise, and shall be maintained as such thereafter. Those details requiring prior approval area:-

- i. All external walling materials to the dwelling house
- ii. All external windows, doors and garage doors (including materials, colour and finish)
- iii. Boundary treatments and hard landscaping/paving

Reason: In the interests of the visual amenity of the area and the setting of the Heritage asset, and to accord with the NPPF.

6. Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C, D, E, F, G and H, and Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification) no development consisting of the enlargement, improvement or other alteration of the dwellinghouse nor the erection of any garages or ancillary buildings, nor the erection of boundary walls or fences, shall be carried out within the curtilage of the dwelling-house without the prior consent of the Local Planning Authority.

Reason: To avoid ancillary development which the Local Planning Authority may consider to be out of character with the area.

7. The development hereby permitted shall not be carried out other than in accordance with the recommendations set out on page 8 of document 'Preliminary Risk Assessment (Desk Study)' undertaken by 'Worms Eye' dated 26<sup>th</sup> September 2016 and received by Craven District Council on 14<sup>th</sup> June 2017.

8. Should investigations required by condition 7 above, or development, find any contamination the Local Planning Authority shall be notified in writing immediately. Where requested by the Local Planning Authority, 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. 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 current best practice.

Reason (for 7 & 8): To enable the Local Planning authority to ensure that unexpected contamination at the site will not present significant environmental risks and that the site will be made suitable for use.

9. The development hereby permitted shall not be brought into use until such time as 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 requirements;
- (i) The details of the access shall have been approved in writing by the Local Planning authority in consultation with the Highway Authority.
  - (ii) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
  - (iii) Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
  - (iv) 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.
  - (v) The final surfacing of any private access within 4.5 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.

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 the North Yorkshire Council 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.

Reason: In accordance with the NPPF and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In accordance with the NPPF and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

#### Informatives

- 1. No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of Way team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
- 2. The hours of operation during the construction phase of the development and delivery of materials and equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Mondays to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
- 3. The applicant is advised that before importation of topsoil, details of the supplier and confirmation of the source(s) of any soil materials should be submitted to the Council's Environmental Health Team for approval. The soil should be free from metals, plastics, wood, glass, tarmac, paper and odours

associated with contaminated soils as specified in BS 3882:2007 – Specification for Topsoil and requirements of use.

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 NPPF. In particular the Council has engaged in pre-application discussions and has requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.

## REPORT TO PLANNING COMMITTEE ON 30th August 2017

**Application Number:** 2017/18240/HH

**Proposal:** Conversion of garage to living accommodation/store and construction of new garage. Re-roofing of existing bungalow. Removal of Leylandi hedge.

**Site Address:** 14 Beanlands Drive Glusburn Keighley BD20 8PZ

**On behalf of:** Mr Philip Barrett

**Date Registered:** 22nd June 2017

**Expiry Date:** 17th August 2017

**Case Officer:** Mrs Gemma Kennedy

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**Note: This application has been submitted Councillor Philip Barrett. Under the terms of the Scheme of Delegation, such applications fall to be determined by the Planning Sub-Committee.**

**Deputy Monitoring Officer (with Delegated Authority from the Monitoring Officer): I can confirm that this application has been processed normally in accordance with the Council's usual practices and procedures.**

1. Site Description

1.1 14 Beanlands Drive is a detached bungalow located at the eastern end of a small estate of similar properties. Attached to the south west corner of the property, at the front, is a flat roofed projection incorporating a garage, porch and utility room. The site, which is triangular in shape, has leylandi hedges along the east and west boundaries to neighbouring properties No's. 12 and 16 Beanlands Drive. To the north of the property is Beanlands Nursing Home.

1.2 The property previously had TPO protected trees within and adjacent to the boundary which have now been felled due to decay.

2. Proposal

2.1 The proposed development has three elements;

- The conversion of the garage to form a sunroom and storeroom. The garage door would be replaced with a window and stone walling, and the side access door would be replaced with a window with walling below. A new access door would be installed in the side elevation to access the store room. The flat roof would be increased in height by 0.4m.
- The re-roofing of the existing bungalow in Marley Modern roof tiles.
- The construction of a detached garage adjacent to the western boundary of the property. Measuring 4m x 10m the garage would be constructed from stone with a pitched tiled roof. The submitted plans indicate that the leylandi hedgerow that runs the length of the western boundary would be removed and would be replaced by a 1.8m high timber fence. \*

**\*Officer's Note:** On the case officer's site visit the applicant indicated that the entire length of the hedgerow may not be removed, it may only be the section from the rear boundary up to the front of the neighbouring garage. The case officer has advised that planning permission would not be

required for either the removal or retention of any part of the hedgerow. The proposed boundary fence requires planning permission, however should the applicant only seek to erect part of the boundary fence then he could do so.

### 3. Planning History

- 3.1 5/32/110/A – Erection of 13 No. bungalows. Approved January 1978. Permitted development rights were removed as a condition of consent.
- 3.2 32/2001/1384 – Remove 1 no. beech, prune 1 no. beech to clear dead stubs. Approved 23/07/2001.
- 3.3 32/2005/5938 – Remove 2 No. Ash – Decay throughout. Approved 12/12/2005.
- 3.4 32/2009/9605 – Removal of Beech Tree. Withdrawn
- 3.5 32/2009/10047 – Lean-to greenhouse. Approved 15/12/2009.
- 3.6 32/2009/10206 – 1 x Beech – fell. Approved 22/03/2010.

### 4. Planning Policy Background

- 4.1 The National Planning Policy Framework (NPPF)
- 4.2 Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and advice within Appendix F of that document.

### 5. Parish/Town Council Comments

- 5.1 Glusburn and Crosshills Parish Council: “No adverse comments.” Received 31/07/2017

### 6. Consultations

- 6.1 NYCC Highways Authority: Recommends that conditions are attached to any grant of permission. Received 25/07/2017

### 7. Representations

- 7.1 None received

### 8. Summary of Principal Planning Issues

- 8.1 The impact of the proposed development on; the character and appearance of the dwelling, street scene and wider area; neighbouring privacy and amenity; and highway safety.

### 9. Analysis

#### 9.1 **Policy background;**

- 9.2 Paragraph 56 of the NPPF details the great importance the Government attaches to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 9.3 Saved Policy H20 relates to extensions to existing dwellings, permitting development that respects the original property and street scene, does not result in any unacceptable loss of privacy or amenity to neighbouring residents, and does not create or increase any shortfall in off-street car parking.

#### 9.4 **Visual impact;**

- 9.5 It is considered that the alterations to the existing garage would be sympathetic to the character and appearance of the existing property and street scene; new windows would be the same style as existing, and materials would match the existing property. The flat garage roof would be increased in height by 0.4m to allow internal works to take place to make it suitable for habitation, yet would remain set down from the ridgeline of the main dwelling.

- 9.6 The detached garage would reflect the design of an existing detached garage to neighbouring property No. 16, and with a pitched roof and materials to match the original house, would be an acceptable form of development.

9.7 It is proposed to replace the existing concrete interlocking tiles on the main roof of the bungalow with new 'Marley modern roof tiles.' It would be beneficial for the replacement roof tiles to be the same or a similar colour to those existing, which will ensure the property continues to harmonise with the roofscape throughout the small estate. A condition of planning consent would satisfy this requirement.

9.8 It is considered that the proposed developments would respect the original property and street scene, and would maintain the character and appearance of the area.

9.9 **Neighbouring privacy and amenity;**

9.10 14 Beanlands Drive is set within a largely private garden due to the presence of hedgerows along the side boundaries. The boundary to the rear, with Beanlands Nursing Home, consists of a stone wall with trellis fencing above, and so is more open. The windows serving the proposed sunroom would be orientated such that they would overlook the gardens of the application property, and would not result in any loss of privacy to the occupants of neighbouring properties.

9.11 The proposed garage would be located adjacent to the neighbouring garage, set back from the frontage of the adjacent bungalow. In this instance the leylandi hedge adjacent to the garage is to be removed and replaced by a fence. However, even without the presence of boundary treatments the position and scale of the proposed garage, along with the changes proposed to the existing garage, it is considered to be such that the development would not result in any adverse loss of neighbouring amenity through loss of daylight or sunlight.

9.12 **Highway safety;**

9.13 The proposed development would provide parking for one vehicle in the garage and for up to 3 vehicles on the driveway. The planning application is in two parts, and the applicant could implement the planning permission with the conversion of the existing garage to form living accommodation and decide not to construct the new garage. Should this occur, despite the loss of the garage, space would remain on the driveway for the parking of up to 3 vehicles. As such there is considered to be sufficient facilities for off –street car parking.

9.14 NYCC Highways Authority have been consulted on the application and have recommended a condition preventing obstruction of visibility at the junction of the drive with the highway. Whilst the existing hedgerow does block visibility, it would be beneficial, for the purposes of highway safety, to ensure that any fence erected complies with the Highway Authorities recommendations in the future.

9.15 **Conclusion;**

9.16 Paragraph 14 of the NPPF advises that Local Planning Authority's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.'

9.17 In this instance it is considered that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development and planning permission should be granted.

10. Recommendation

10.1 Approval

Conditions

**Type T - Time Limit for Commencement**

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

### **Type L - Approved Plans**

2. This permission relates to the following plans:

- Drawing no. 251 2 001 Rev A received by Craven District Council on 22<sup>nd</sup> June 2017.
- Drawing no. 251 2 002 received by Craven District Council on 22<sup>nd</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 except where conditions indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan and the National Planning Policy Framework.

### **Type F - Ongoing conditions**

3. The boundary fencing hereby permitted (along the western boundary of the garden) shall not exceed a height of 1.05 metres for a distance of 2 metres back from the edge of the highway. The remaining fencing shall not exceed a height of 1.8 metres.

Reason: In accordance with the NPPF and in the interests of road safety and neighbouring amenity.

4. The roof tiles used in the re-roofing of the dwellinghouse and in the roofing of the proposed garage shall be grey in colour.

Reason: To ensure that the development harmonises with the local area and to accord with Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

### **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 NPPF.