

PLANNING COMMITTEE

6th June 2016

Present – The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Brockbank, Dawson, Harbron, Lis, Mason, Place, Rose, Shuttleworth and Thompson.

Officers – Development Control Manager, Solicitor, Principal Planning Officers (x2) and Committee Officer.

Apologies for absence were received from Councillors Barrett (substitute for Councillor Heseltine) and Heseltine.

Start: 1.35pm

Finish: 3.38pm

The minutes of the Committee’s meeting held on 9th May 2016 were confirmed and signed by the Chairman.

Minutes for Report

PL.793

PUBLIC PARTICIPATION

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

Application 26/2015/16284 : Ms J Benjamin (for Embsay with Eastby Parish Council)
 : Mr A Asquith (objector / for objectors)
 : Mr D Hartley (on behalf of the applicant)
Application 12/2016/16593 : Mr D Hartley (on behalf of the applicant)
Application 12/2016/16613 : Mr D Hartley (on behalf of the applicant)
Application 15/2016/16700 : Mrs M Mason (objector / for objectors)

PL.794

APPLICATIONS FOR PLANNING PERMISSION

a. Delegated Matters

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission within the three areas of the District indicated which had been dealt with under delegated authority.

North Craven Area

08/2016/16641 Proposed menage for domestic equestrian use, new field entrance and fence to southern site boundary to enclose public footpath, The Wenning, Mewith Lane, Low Bentham – Conditional approval.

08/2016/16796 Proposed revised access to land at the rear of the Punch Bowl public house onto A6480, The Punch Bowl Hotel, Low Bentham – Conditional approval.

08/2016/16756 Conversion of the 10 bedroom farmhouse and annex into two dwellings with six bedrooms in the farmhouse and three within the annex, including an increase in size to the upstairs windows on the South elevation of the annex and the downstairs windows replaced with French doors. The North facing elevation will have a new formal entrance and 1 no. window repositioned slightly to allow a better internal configuration, New Butts Farm, High Bentham – Conditional approval

08/2016/16622 Application for change of use to install a 20m x 60m ménage on current grassland, Alder Gill Barn, Mewith Lane, High Bentham – Conditional approval.

08/2016/16815 Discharge of condition no 4 of previously approved application reference 08/2015/16413, 1-9 incl Collingwood Terrace, Mount Pleasant, High Bentham – Conditional approval.

15/2016/16810 Retrospective application for conversion of integral garage to form habitable room, 21 Manor Close, Burton in Lonsdale – Conditional approval.

18/2016/16761 Two storey and single storey side extension to provide accommodation to replace demolished defective part of premises. Demolish two storey and single storey side extension and rear extensions, Birk Knott, Keasden Road to Birk Knott, Clapham – Approval.

18/2016/16738 The construction of three residential dwellings (two semi detached & one detached) with associated access & landscaping, land south of Clapham, bounded by Station Road, Clapham – Refusal.

18/2016/16784 Replacement of 3no. Village signs on approach roads to Clapham village on A65 and B6480, A65 (sd 753681 - LA2 8HJ) And (sd 736696 - LA2 8JE), and B6480 (sd 739692 – LA2 8AZ), Clapham – Conditional approval.

31/2016/16771 Two storey extension to dwelling house, demolition of outbuilding and construction of detached store, Oxleyworth, Giggleswick – Approval.

31/2016/16811 Variation of Condition 2 of planning approval 31/2015/15931 to provide an addition of a single storey dining area, 12 Sandholme Close, Giggleswick – Conditional approval.

42/2016/16808 Two storey side extension to provide additional bedroom & en-suite over enlarged kitchen & single storey rear sunroom/wc extension to replace existing conservatory, 22 Park Avenue, Hellifield – Conditional approval.

45/2016/16818 Discharge condition 3 of original planning application consent 45/2015/16039 concerning position and method of construction for pump track and skate park, Playing Field, Middle School, Back Gate, Ingleton – Conditional approval

45/2016/16766 New porch to west elevation, replacement windows, internal re-ordering and replacement of finishes. Installation of new french drain and replacement garage doors, Withens, Cold Cotes, Ingleton – Conditional approval.

45/2016/16770 The installation of a replacement 17.5m street works pole supporting 3no antennas, ino 0.3 m transmission dish, ino replacement equipment cabinet and ancillary development (Prior Notification Application) SW on Ingleton Industrial Estate, Off New Road (A65), Ingleton – Prior approval not required.

45/2016/16759 Single storey rear extension, 108 New Village, Ingleton – Approval.

48/2016/16752 Modification of existing car parking and secondary landscaping to create HGV parking, Christies High Mill, Langcliffe – Conditional approval.

49/2016/16827 Discharge of condition no. 5 of listed building consent reference 49/2015/15977, Bridge House Cottage, Eldroth Road, Austwick – Conditional approval.

59/2016/16706 Construction of a conservatory (resubmission of withdrawn application referenced 59/2015/16244), Croft View, Hesley Lane, Rathmell – Conditional approval.

59/2016/16739 Listed building consent for overhead lines in Rathmell are to be removed to accommodate the development on the site of the former 'Rose Lea', Hesley Lane, Rathmell. This will necessitate alterations to the provision of electricity services at Cross Keys, College Fold and BT kiosk. College Fold and Cross Keys – Conditional approval.

62/2016/16710 Rear extension, 2 Halsteads Terrace, Duke Street, Settle – Conditional approval.

62/2016/16715 Change green wood windows to green plastic windows, 39 Kings Mill Lane, Settle – Conditional approval.

62/2015/16481 Application to discharge condition no's 4, 6, 8, 11, 12, 13, 15 and 16 of original planning permission referenced 62/2015/15570 and condition no's 5, 9 and 11 of listed building consent referenced 62/2015/15571, former Settle Police Station, Duke Street, Settle – Split decision.

72/2016/16711 Full planning permission to use Gardale House, Deepdale Head, Wigglesworth as a holiday cottage, Deepdale Head, Deepdale Head, Wigglesworth – Conditional approval.

South Craven Area

11/2015/16433 Proposed demolition of existing car port and single storey flat roof kitchen extension to existing cottage to be replaced with 2 storey extension and new car port, 8 Main Street, Low Bradley – Approval.

17/2016/16707 New agricultural building for the housing of livestock and storage of straw and machinery, Tow Top Farm, Tow Top Lane, Cononley – Conditional approval.

17/2016/16725 Proposal to create two units as holiday and visitor accommodation and change of use to private dwelling, Poppy Cottage, Carla Beck Lane, Carleton – Conditional approval.

21/2016/16735 Construction of Agricultural workers dwelling and associated access, Royd House Farm, Lingah Hill, Cononley – Conditional approval.

21/2016/16754 Construction of joiner's workshop, Hamble Croft, Netherghyll Lane, Cononley – Conditional approval.

21/2016/16663 Garage conversion and first floor balcony 46 Skipton Road, Cononley – Approval.

21/2016/16785 Raising rear lean-to roof, Netherghyll House, Nethergill Lane, Cononley – Conditional approval.

21/2016/16762(LB) Alterations to kitchen extension; provision of ground floor WC; removal of modern ceiling on landing to provide patent glazing rooflights; addition of rooflight to front porch; introduction of steps from kitchen to garden Shackleton Ghyll Farm, Main Street, Cononley – Conditional approval.

22/2015/16115 Conversion of mill to four dwellings Freegate Mill, Main Street, Cowling – Conditional approval.

22/2016/16596 Construction of new bungalow, land adjacent The Coach House, Carr Head, Cowling – Refusal.

22/2016/16577 Application for change of use of barn to form extension to existing farmhouse, Hallan Hill Farm, Piper Lane, Cowling – Conditional approval.

22/2015/16389 Application for the removal of Condition no. 3 of planning approval referenced 22/2015/15685 Cragg Side Barn, Dick Lane, Cowling – Conditional approval.

22/2016/16724 New detached dwelling and removal of 3 No Trees in the garden of Sycamore House, Cowling, Sycamore House, Cow Lane, Cowling – Conditional approval.

22/2016/16779 Single storey rear extension, 20 Sun Street, Cowling – Conditional approval.

25/2016/16589 Creation of an outdoor amenity space to form a beer garden Tempest Arms, Elslack Lane, Elslack – Conditional approval.

32/2015/16016 Proposed development of three new traditional, stone built dwellings off Green Lane, Glusburn – Refusal.

32/2016/16727 To build a single storey rear extension on House, 6 Newlands Drive, Cross Hills – Approval.

53/2016/16787 Extension to provide additional bedroom and living space The Croft, The Fold, Lothersdale – Approval.

53/2016/16775 Listed building consent application to partially rebuild existing bay window Stansfield House, 12 Rook Street, Lothersdale – Conditional approval.

66/2016/16814 Proposed porch and alterations to front elevation (resubmission of refused application referenced 66/2016/16583), 1 Ellers Road, Sutton-in-Craven – Approval.

66/2016/16820 Single storey rear extension Sutton Baptist Chapel, Holme Lane, Sutton-in-Craven – Conditional approval.

66/2016/16606 Replace original porch with larger utility, 11 Rosemount Court, Sutton-in-Craven – Conditional approval.

66/2016/16696 Removal of wall (approx 6ft high) from in front of a garage/outbuilding to give possible vehicular access to the garage, 8 Elm Road, Sutton-in-Craven – Conditional approval.

69/2016/16767 Retrospective planning application for a metal flue, for a wood burning stove, 3 Thornton Manor Court, Thornton in Craven – Approval.

73/2015/15882 Demolition of existing dwelling and construction of 5no. 2 storey detached dwellings and 3 storey replacement dwelling, Deep Spring, Grange Road, Kildwick – Application withdrawn.

73/2016/16734 Replacement of timber-framed windows and door to front elevation, Lion Barn, Priest Bank Road, Kildwick – Approval.

Skipton Area

26/2016/16627 Proposed part demolition and refurbishment of garage/stores to form bedroom annex and garage, Park House, Barden Road, Eastby – Application withdrawn.

30/2016/16744 Application to vary condition no. 2 of original planning permission referenced 30/2013/14125 granted 24 January 2014 to substitute the approved drawings with the new drawings submitted with this application to increase the accommodation within one unit and amend window positions for an improved internal layout, land off Smithy Croft, Smithy Croft Road, Gargrave – Conditional approval.

26/2016/16870 Rear dormer, 13 Shires Lane, Embsay – Permission not required.

26/2016/16746 Application to discharge condition no's 4, 6 and part of condition no. 3 of original planning permission referenced 26/2015/16074, 19 Skipton Road, Embsay – Conditional approval.

26/2016/16829 Application to discharge condition no. 3 of planning approval 26/2016/16736, Westbourne, 15 Shires Lane, Embsay – Conditional approval.

30/2016/16806 Single storey extension to front of house to provide an entrance lobby outside the existing front door which opens directly at the foot of the stairs. Single storey extension to front of existing integral garage, to enable future installation of a first downstairs WC and shower while retaining garage space for 1 car, 4 Riversway, Gargrave – Conditional approval.

63/2016/16757 Outline application with some matters reserved for the demolition of stable block and construction of new 2 bedroom dwelling on existing footprint, 22 Canal Street, Skipton – Conditional approval.

63/2016/16722 Proposed new green keeper's building, Skipton Golf Club, Short Lee Lane, Skipton – Conditional approval.

63/2016/16721 Restoration including modest alterations and replacement of existing rear shed to provide 2no commercial units for B1,A1 or A2 use or equivalent use, Devonshire Place, Skipton – Conditional approval.

63/2016/16769 Replacement of four bridges and demolition of three bridges, Eller Beck Foot Bridges, situated In Skipton Golf Course, Skipton – Conditional approval.

63/2016/16788 Formation of a new access door into the rear of the property, replacement window frames and internal alterations, 12 Sheep Street, Skipton – Conditional approval.

63/2016/16789 Listed building consent for formation of new access door into the rear of the property, replacement window frames, internal alterations and associated shop signs, 12 Sheep Street, Skipton – Conditional approval.

63/2016/16837 Application to discharge condition No 3 of original planning consent reference 63/2015/16312, Skipton Building Society, The Bailey, Skipton – Conditional approval.

b. Applications

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

Permission Granted

12/2016/16613 Demolition of existing building and the erection of a new well being centre. reconfiguration of car parking area, The Bothy, Broughton Hall Estate, Broughton.

Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission
2. The development shall not be carried out other than wholly in accordance with the following:
 - a. Drawing nos. 1920.100 revision C, 106 revision D, 107 revision C, 108 revision B109 revision B 110 revision B 'Home Park Concept' 2201.16 ref: BHE05 received by the Local Planning Authority 27th January 2016.
 - b. Topo Survey Drawing 1 (Drainage connection) received 25th May 2016.

c. Bat Roost Assessment (mitigation), Surface Water Management Note, Design and Access Statement, Significance Statement and Arboricultural Report received by the Local Planning Authority on 27th January 2016.

d. The approved site location plan is ref: 1920.01 received 27th April 2016.

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.

3. No development of the approved new building or car parking areas shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will be less than the run-off from the site prior to the proposed development following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

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

4. All trees annotated 'existing' on the plan titled Home Park Concept 22.01.16 Ref.BHE05 shall either be retained and protected during the construction process (to Standard 3998 (2010) 'Tree Work') or if removed shall be replaced with a new tree at a height at the time of planting of not less than 1.5m in size (10 – 12 cms girth). Full details of the proposed replacement planting shall be submitted for approval prior to the commencement of development and planting shall take place in accordance with those approved details thereafter.

5. No development shall commence until details of all the materials to be used on the external elevations and car park surfacing have been submitted to, and approved in writing, by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

6. No development, including site clearance shall commence until a programme of recording of the application site has been submitted to and approved in writing by the local planning authority. The recording shall thereafter be undertaken in accordance with the approved details.

Informatives

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41(1) of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and in the first instance contact the National Bat Helpline on 0845 1300 228. Developers/contractors may need to take further advice from Natural England on the need for a European Protected Species Licence in order to continue the development in a lawful manner. Natural England can be contacted at consultations@naturalengland.org.uk, or by calling 0300 060 3900, or Natural England, Consultation Service, Hornbeam House, Crewe Business Park, Electra Way, Crewe, Cheshire, CW1 6GJ.

2. All works (including any site clearance work) should take place outside of the main bird breeding season, which runs from 1st March to 30th September. If works during this period are

unavoidable, there should first be an inspection by a qualified ecologist to check for the presence of nests, and if any nests are found, works should be delayed until the young have fledged.

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
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation

Discharge of Condition(s)

1. The developer should note that Condition Nos 3, 4, 5 and 6 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.
2. With regard to Condition No. 5 above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.

26/2015/16284 Full planning application for residential development of 51 no. houses, land off Shires Lane, Embsay.

Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission
2. The development shall not be carried out other than wholly in accordance with the following:
 - a. Drawing nos. GA11, GA01, GA12A, GA20 revision A, GA21 revision A, GA22 revision A, GA23 revision A, GA24 revision A, GA25 revision A, GA26 revision A, GA27 revision A, GA28 revision A, GA29 revision A, GA30 revision A, GA31 revision A, GA32 revision A, GA33 revision A, GA34 revision B, GA35 revision B, GA36 revision A, GA37, GA38, 1013-001, 1013-100 and 1013-101 received by the local planning authority 9th October 2015.
 - b. Drawing nos. GA02C, GA13 revision J, GA50 revision J, GA51, GA52, GA53, GA54, GA55 and GA56, received by the Local Planning Authority on 12th April 2016.
 - c. Design and Access Statement (April 2016), Ecological Appraisal (paras. 7.2 to 7.8), Boundary Risk Assessment and Flooding and Drainage Assessment.

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.

3. Details of all building facing materials and finishes; surface material finishes for the highways, footpaths, private drives and all other hard surfaces; screen walls, fences and other means of enclosure; existing and proposed ground levels and proposed finished floor levels

and building heights shall be submitted to and approved in writing by the Local Planning Authority. The development shall be subsequently implemented in accordance with the approved details.

4. The west (side) facing windows of the property on plot 1 shall be fitted and maintained thereafter with obscure glazing.

5. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

6. The site shall be developed in accordance with the approved Sustainable Drainage System (SuDS) scheme. Details of the proposed maintenance arrangements for the SuDS shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development.

7. Unless otherwise approved in writing by the local planning authority, no construction of buildings or other structures shall take place until measures to divert the sewer that is laid within the site have been implemented in accordance with details that have been submitted to and approved by the local Planning Authority.

8. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

9. Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within the 5m easement either side of the centre line of the water main that crosses the site.

10. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:

a. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% provision of housing units unless otherwise agreed with the Local Planning Authority following an assessment of financial viability;

b. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

c. the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no Registered Provider involved);

d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

e. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced;

or

f. details of an equivalent affordable housing contribution to be provided in lieu of affordable housing on site and the means by which such a contribution shall be provided (alternatively, this may be a contribution that is to be provided partly on site and partly in lieu).

11. No development shall take place until either:

a. Full details of public open space to serve the development in accordance with Saved Policy SRC2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan have been submitted to and approved in writing by the Local Planning Authority and agreement has been reached with the Local Planning Authority as to the provision of the same and its subsequent management and maintenance.

b. Alternative arrangements for the provision of open space have been secured and approved in writing by the Local Planning Authority.

12. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

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

- i. the proposed highway layout including the highway boundary.
- ii. dimensions of any carriageway, cycleway, footway, and verges.
- iii. visibility splays.
- iv. the proposed buildings and site layout, including levels.
- v. accesses and driveways.
- vi. drainage and sewerage system.
- vii. lining and signing.
- viii. traffic calming measures.
- ix. all types of surfacing (including tactiles), kerbing and edging.

b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

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

c. Full highway construction details including:

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

d. Details of the method and means of surface water disposal.

e. Details of all proposed street lighting.

f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

h. A programme for completing the works.

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

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

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

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

14. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

15. 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:

a. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

b. 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.

c. 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.

d. 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 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.

16. No part of the development shall be brought into use until the existing access on to Shires Lane has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority in consultation with the Highway Authority.

Informative: These works shall include, where appropriate, replacing kerbs, footways, cycleways and verges to the proper line and level.

17. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres looking east measured along both channel lines of the major road Shires Lane from a point measured 37 metres looking west down the centre line of the access road. The eye height will be 1.05m and the object height shall be 1.05m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

18. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

19. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

- a. The details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- b. An independent Stage 2 Safety Audit has been carried out in accordance with HD19/03 - Road Safety Audit or any superseding regulations.
- c. A programme for the completion of the proposed works has been submitted.

The required highway improvements shall include:

- a. Provision of tactile paving
- b. Footway between site and new crossing point near 5 East Lane, including crossing point.

20. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Ref: GA03A) and are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

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

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

22. During construction works there shall be no: Light Goods Vehicles exceeding 3.5 tonnes, Medium Goods Vehicles up to 7.5 tonnes, Heavy Goods Vehicles exceeding 7.5 tonnes permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time, except between the hours of 7.30 – 18.00 on Mondays to Fridays and 7.30 – 13.00 on Saturdays.

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

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway.
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.

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

24. The development hereby approved shall not be occupied until full details of the design and specification of the mitigation, including details of management and maintenance responsibilities, as set out in the Lobosport Technical Report titled: 'Boundary Risk Assessment: Shires Lane, Embsay, dated 11/04/2016 have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The approved details shall be installed in full before the development is first occupied.

25. No development shall take place until details of the proposed means of foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved scheme.

Informatives

1. Precautions should be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site. These precautions may include the provision of wheel washing facilities where considered appropriate. These precautions should be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order during the construction period.

2. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41(1) of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and in the first instance contact the National Bat Helpline on 0845 1300 228. Developers/contractors may need to take further advice from Natural England on the need for a European Protected Species Licence in order to continue the development in a lawful manner. Natural England can be contacted at consultations@naturalengland.org.uk, or by calling 0300 060 3900, or Natural England, Consultation Service, Hornbeam House, Crewe Business Park, Electra Way, Crewe, Cheshire, CW1 6GJ.

3. All works (including any site clearance work) should take place outside of the main bird breeding season, which runs from 1st March to 30 September. If works during this period are unavoidable, there should first be an inspection by a qualified ecologist to check for the presence of nests, and if any nests are found, works should be delayed until the young have fledged.

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

- engaged in pre-application discussions
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation. (*)

Discharge of Condition(s)

1. The developer should note that Condition Nos 3, 6, 7, 8, 10, 11, 12, 13, 14, 16, 19, 21, 23 and 24 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.
2. With regard to the above conditions please note that any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.

(Councillor Shuttleworth clarified his position / involvement in respect of his role as a member of Embsay with Eastby Parish Council, having considered that position against the Council's Code of Conduct he was satisfied that he had no interest to declare.)

Delegated Authority

12/2016/16593 Demolition of existing building and erection of new offices and pharmaceutical laboratories, Skinner Ground Farm, Broughton Estate, Broughton – delegated authority was granted to the Development Control Manager to grant planning permission subject to the conditions listed below, and highways matters being resolved to the satisfaction of North Yorkshire County Council (NYCC) Highways. Delegated authority was also given to the Development Control Manager to amend the planning conditions, if necessary, to resolve highways issues to the satisfaction of NYCC Highways.

Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development shall not be carried out other than wholly in accordance with the following: drawing nos:
 - PL101 (Site Layout) received 8th April 2016
 - PL002 (Location Plan), PL003 (Access Plan), PL004 (Old Lane Junction) PL201, PL101 (Unit 1 Ground Floor Plan), PL102 (Unit 1 First Floor Plan), PL200, PL300 (Communal Building, Composite North/South Elevation, Unit 1 Internal Courtyard Sections, Site Sections) received 26th January 2016
 - PL110 Revision A and site plan showing drainage connections received 2nd June 2016.

- Design and Access Statement, Transport Statement and Workplace Travel Plan received 26th January 2016.

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.

3. The employment premises hereby approved shall only operate between the following hours: 0700 to 1800 Monday to Saturday.

4. Prior to the first installation on site full details of the proposed external lighting of the site, including any lighting attached to the buildings, shall be submitted to and approved in writing by the local planning authority. The development shall subsequently be undertaken in accordance with the approved details and no other external lighting shall be installed on the site or approved buildings without the prior approval of the local planning authority.

5. No development shall commence until details of the landscaping of the site including wherever possible the retention of existing trees and hedges 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 not less than 10 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted.

6. All trees and hedges around the perimeter of the site should be protected by fencing in accordance with BS 5837 (2012) for the duration of the development.

7. No building or other obstruction including landscape features shall be located over or within 15 feet of either side of the centre line of the water main i.e. a protected strip width of (30) feet, that traverses the site.

8. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design should demonstrate that the surface water run-off generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will be less than the run-off from the site prior to the proposed development following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development and be retained thereafter. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

9. 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:

a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- b. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- c. Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- d. 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.
- e. The final surfacing of any private access within 10 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

10. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Gargrave Road Broughton from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

11. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 15-636 PL101 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

12. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority : Direct surfaced path, e.g. crushed stone, between development and bus stop at Sulpher Wells (A59).

13. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

a. The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:.

i. Provision of tactile paving

ii. 1.5m wide footway [kerbed, adjacent to carriageway] connecting footpath at Sulpher Well Houses with Broughton Mill Business Park [Watermill Park] and with bus stop [south side of A59].

b. An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/03 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works.

c. A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

The required highway improvements shall include:

a. Provision of tactile paving.

b. 1.5m wide footway (kerbed, adjacent to carriageway) connecting footpath at Sulpher Well Houses with Broughton Mill Business Park (Watermill Park) and with bus stop (south side of A59).

14. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority: 1.5m wide footway [kerbed, adjacent to carriageway] connecting footpath at Sulpher Well Houses with Broughton Mill Business Park [Watermill Park] and with bus stop [south side of A59].

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

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

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

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

16. Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

a. the appointment of a travel co-ordinator.

b. a partnership approach to influence travel behaviour.

c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site.

d. provision of up-to-date details of public transport services.

e. continual appraisal of travel patterns and measures provided through the travel plan.

f. improved safety for vulnerable road users.

g. a reduction in all vehicle trips and mileage.

h. a programme for the implementation of such measures and any proposed physical works.

i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Informatives:

1. To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors regard should be had for the safe removal of any potential asbestos containing material present on site, i.e. roof material. The applicant should ensure removal of any such material is carried out by a suitably qualified, competent contractor/registered waste carrier, licenced in the removal and offsite disposal of asbestos to a registered hazardous waste landfill site.

2. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via 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.

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.
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation. (*)

Discharge of Condition : With regard to Condition No 5 above please note that it will be necessary to submit a formal application to discharge the condition.

Permission Refused

15/2016/16700 First floor extension to existing bungalow, plus a single storey side extension to the west elevation and internal alterations, 11 Greta Heath, Burton in Lonsdale – the Development Control Manager to formulate appropriate reasons based on grounds that the proposed development would have an overbearing and unacceptable impact on the amenity of No.9 Greta Heath.

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

(Councillor Thompson declared an interest under Paragraph 15 of the Council's Code of Conduct by reason of him having a close association with the primary objector to the above application. He exercised his right to speak, but played no further part in the Committee's determination of the application, sitting in the public gallery during the debate.)

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

PL.795

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 1st to 30th April 2016.

Minutes for Decision

- None -

Chairman.