

## **PLANNING COMMITTEE**

13<sup>th</sup> February 2017

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

**Officers** – Development Control Manager, Solicitor, Principal Planning Officer and Committee Officer.

Ward Representative : Councillor Moorby (Application 42/2016/17564).

An apology for absence was received from Councillor Lis.

Start: 1.40pm

Finish: 6.07pm

Councillor Harbron left the meeting at 4.30pm

Councillor Place left the meeting at 5.17pm

Councillor Mason left the meeting at 5.43pm

The minutes of the Committee's meeting held on 16<sup>th</sup> January 2017 were confirmed and signed by the Chairman.

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

### **Minutes for Report**

PL.817

#### **PUBLIC PARTICIPATION**

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

Application 62/2016/17188 : Mr D Taylor (for Settle Town Council)

: Mr N Young (objector / for objectors)

: Mr J Everett (for the applicant)

Application 66/2016/17442 : Ms A Roland (for Sutton in-Craven Parish Council)

: Mr B Sanderson (objector / for objectors)

Application 32/2016/17488 : Mr V Craven (for the applicant)

Application 26/2016/17630 : Mr V Smith (for Embsay with Eastby Parish Council)

: Ms C Midgley (objector)

Application 42/2016/17564 : Ms J Marley (objector / for objectors)

: Mr R Davies (for the applicant)

Application 30/2016/17586 : Mr P Ward (for Gargrave Parish Council)

: Mrs P McDonald (objector / for objectors)

Application 21/2016/16967 : Mr P Cawood (objector)

Application 63/2016/17515 : Mr M Gordon (for the applicant)

PL.818

#### **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

08/2016/17640 Demolition of abandoned school and construction of six no. three bedroomed dwellings and two no. two bedroom dwellings, Low Bentham Cp School, Doctors Hill, Low Bentham – Application withdrawn.

08/2016/17612 Installation of a 21m lattice tower supporting 3 no antennas, 2 no transmission dishes, 2 no equipment cabinets, 1 no meter cabinet and ancillary development thereto including a 2m high chain link fence (Prior Notification), land at Bentham ATE, Low Bentham Road, High Bentham – Prior notification refused; application required.

15/2016/17607 Conversion of attic including new dormer with flat roof and cement board finish. Addition of new window to gable. Addition of new balcony to rear at 1st floor level, Flat, 40 High Street, Burton in Lonsdale – Approval.

31/2016/17575 Detached garage (Resubmission of 31/2016/17222) The Chase, Bankwell Road, Giggleswick – Approval.

45/2016/17595 Application for advertisement consent for 2 x fascia (only logo illuminated) - signs A, C; 1 x non-illuminated fascia - sign B; 9 x non-illuminated wall mounted aluminium panels - signs D, E, F, G, H, I1, I2, J, K; 2 x non-illuminated double sided post mounted aluminium panels - signs L, M; 2 x totem panels (replacement) - signs M1, M2, Three Peaks Filling Station, New Road, Ingleton – Conditional approval.

45/2016/17539 Erection of single storey extension to rear. Demolition of redundant outbuilding, replace tarmac with permeable brick paviers, Scargill, 53 Main Street, Ingleton – Approval.

45/2016/17587 Extension to existing pool facilities, Leisure Centre, Stackstead Farm, Warth Lane, Ingleton – Conditional approval.

49/2016/17562 Application for the removal of the agricultural occupancy condition from planning permission referenced 5/49/85, Cornfield House, Eldroth Road, Austwick – Conditional approval.

49/2016/17677 Application for non-material amendment to previously approved application 49/2016/17284, detached outbuilding, Eldroth House, Eldroth Road, Austwick – Conditional approval.

59/2016/17599 Proposed vehicular access to approved barn conversion under construction including the change of use of land to form the access, Quarry House Barn, Main Street, Rathmell – Conditional approval.

62/2016/17556 Removal of existing redundant wall mounted telecommunications pole; installation of a replacement 6.5m mock flag pole mounted to wall, supporting 3 no antennas, 2 no equipment cabinets, 1 no meter cabinet at ground level and ancillary development thereto. Settle Conservative Club, 18 Station Road, Settle – Conditional approval.

62/2016/17602 Retrospective application to replace the windows on the first and second floors of the property, 3 Duke Street, Settle – Conditional approval.

62/2016/17573 Change of use from guesthouse and private house to holiday let and private house, 5 Church Street, Settle – Conditional approval.

62/2016/17485 Demolition of existing garage and proposed new garage, 6 Railway Cottages, Station Road, Settle – Approval.

62/2016/17537 Replacement of 2 no. doors on the front elevation; replacement of 1 no. door to rear

elevation; replacement of 5 windows to front elevation and replacement of 1 window to rear elevation, 1 Station Road, Settle – Approval.

62/2016/17512 Proposed single storey extension to rear and Installation of 2 no. windows to replace existing garage door at front, 20 Oxley Fold, Settle – Approval.

62/2016/17588 Single storey rear extension; widen existing rear dormer window; re roof main house roof using existing slates; replacement windows to bay (resubmission of 62/2016/17254), 5 Halsteads Terrace, Duke Street, Settle – Approval.

62/2016/17625 Formation of living space in existing garage and wc/utility in existing rear lobby; new window opening on the side elevation and replace the windows for white UPVC equivalents to match existing windows in design, 1 Grove Park Gardens, Settle – Approval.

62/2016/17652 Listed building consent to form 2 new internal openings, infill 3 existing openings and create new stud partition shower room and bathroom x2 (retrospective application), 3 The Terrace, Duke Street, Settle – Conditional approval.

62/2016/17649 Application for non-material amendment to original planning permission referenced 62/2015/16101 for the insertion of two roof lights facing the cricket pitch and additional glazed door to north elevation (facing the cricket pitch), land at Kirkgate, Settle – Conditional approval.

62/2017/17704 Discharge of Condition No.4 of planning approval 62/2016/16901, Prospect House, Castlebergh Lane, Settle – Conditional approval.

72/2016/17584 Application to vary condition no's 2 and 4 of original planning approval referenced 72/2012/12376 to incorporate the study room into a business area and to change the opening hours from 1030 - 1630 to 0900 - 2300, The Old Vicarage, Tosside – Conditional approval.

#### South Craven Area

11/2016/17565 Outline application with all matters reserved for the erection of three terraced dwellings, Langroods Farm, High Bradley Lane, High Bradley – Application withdrawn.

11/2016/17548 Removal of part boundary wall to create new vehicular access from, Back Lane Far Barn, High Bradley Lane, High Bradley – Approval.

12/2016/17594 Extension to Silver Cross offices, creation of overflow grasscrete car parking area and erection of new stone up-lit piers for new 5 bar hardwood gates, Micklethorne Farm Cottage, Broughton – Conditional approval.

21/2016/17589(LB) Replace front door and surround with like for like. Replace 5 first floor windows with like for like. Replace 5 second floor windows with like for like, Cononley Hall, Main Street, Cononley – Conditional approval.

22/2016/17567 Revised design of proposed dwelling house to supersede extant planning permissions numbered 22/2014/14677 and 22/2014/14886, 16 Main Street, Ickornshaw – Refusal.

22/2016/17592 Erection of agricultural building for the housing of new born calves, Lower Lane Ends Farm, Colne Road, Cowling – Conditional approval.

22/2016/17598 Proposed agricultural building, Park House, Park Lane, Cowling – Conditional approval.

22/2016/17561 Proposed extension to existing cattle building to provide additional cubicles and open bedding areas, Lower Lane Ends Farm, Colne Road, Cowling – Conditional approval.

22/2016/17574 Detached dwelling (revised scheme to extant approval referenced 22/2008/8554), The Cottage, Carr Head Lane, Cowling – Conditional approval.

24/2016/17566 Application to discharge condition no's 8, 9 and 10 from outline consent referenced 24/2013/14195 and condition no. 3 from reserved matters consent referenced 24/2015/15636, Draughton House, Low Lane, Draughton – Split decision.

24/2016/17614 Construction of two storey side extension, Ghyll Brow Cottage, Low Lane, Draughton – Approval.

25/2016/17597 Conversion/replacement of triple garage to a holiday lodge, The Pump House, Moor Lane, Elslack – Conditional approval.

28/2016/17550 Demolition of conservatory and construction of single storey extension with additional roof lights and other alterations on north west elevation, Glendale, The Arbour, Farnhill – Approval.

28/2016/17596 Single storey extension to east elevation, Stonegate Cottage, Grange Road, Farnhill – Refusal.

28/2016/17621 Application for listed building consent for single storey extension to east elevation Stonegate Cottage, Grange Road, Farnhill – Refusal.

32/2016/17583 Single storey extensions to east elevation, Glenaire, 46 Green Lane, Glusburn – Approval.

32/2016/17555 Outline planning permission with some matters reserved for demolition of existing church hall and construction of 4 No terraced houses and new parking spaces, St Peter's Methodist Church, Main Street, Cross Hills – Conditional approval.

53/2016/17102 Application for a lawful development certificate for an existing use as café inside reception building, Lakeside Cafe, Raygill Fisheries, Raygill Lane, Lothersdale – Approval.

53/2016/17590 Retrospective application for a change of use of commercial land to residential use and construction of a single storey domestic garage, land adjacent to Brow Barn, Rook Street, Lothersdale – Conditional approval.

56/2016/17591 Construction of garage carport and home office, Dodge Carr Barn, Thornton Road, West Marton – Approval.

66/2016/17617 Internal re-modelling of existing dwelling and provision of new garage, Wood Top Farm, West Lane, Sutton-in-Craven – Approval.

66/2016/17618 Application for listed building consent for internal re-modelling of existing dwelling and provision of new garage, Wood Top Farm, West Lane, Sutton-in-Craven – Conditional approval.

69/2016/17521 New agricultural access track (across fields, between road to Stockbridge Laithe and road between Church Road and West Marton) Higher Shed Laithe, Colne and Broughton Road, Thornton in Craven – Conditional approval.

73/2016/17581 Construction of new entrance porch, Riverside Barn, Main Road, Kildwick – Approval.

#### Skipton Area

30/2016/17547 Application to discharge condition no. 6 of original planning permission referenced 30/2016/17136, Premier Inn, Gargrave – Conditional approval.

63/2016/17471 Formation of external ramp (disabled access). Re roofing and formation of new door opening, Scout Hall, The Ginnel Mews, Newmarket Street, Skipton – Conditional approval.

63/2016/17538 Replace existing shared porch and stone steps with new porch with two doors and access stairs, to rear (east) elevation, 7 Cavendish Street, Skipton – Conditional approval.

63/2016/17210 Construction of warehouse, Former Fuel Depot, Snaygill Industrial Estate, Keighley Road, Skipton – Conditional approval.

63/2016/17569 Change of use of part first floor offices to three residential apartments, including first floor retail use from ground floor shop unit, High Street House, Newmarket Street, Skipton – Conditional approval.

63/2016/17605 Installation of 1m platform lift to the front access. Raise existing patio level to achieve level access, 16 Ramshaw Drive, Skipton – Approval.

63/2016/17513 Construction of a dormer on the rear, 5 Brooklands Terrace, Skipton – Approval.

63/2016/17494 Application to discharge condition no's 3 and 8 from planning appeal decision referenced APP/C2708/W/16/3149383 which relates to planning application referenced 63/2015/16036, Crookrise Caravan Park, The Bailey, Skipton – Conditional approval.

## **b. Applications**

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

### **Permission Granted**

**21/2016/16967 Outline approval for construction of 15 no houses and new access previous application referenced (21/2014/14241), land off Meadow Lane, Cononley.**

#### Summary of Conditions

1. No development shall take place without the prior written approval of the Local Planning Authority of all details of the following reserved matters; appearance, scale and landscaping. An application for the approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

2. The approved plans comprise of the following:

- Location Plan received by Craven District Council on the 27<sup>th</sup> May 2016
- 2487-1H – Proposed site entrance received by Craven District Council on the 12<sup>th</sup> January 2017.
- 2485-4 Plots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 & 12 received by Craven District Council on the 19<sup>th</sup> May 2017.
- 2487-5 Plots 10, 13 & 14 received by Craven District Council on the 19<sup>th</sup> May 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 details submitted in accordance with condition 1 shall include 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, proposed finished floor levels and building heights.

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

- 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% of housing units unless otherwise agreed with the Local Planning Authority following an assessment of financial viability.
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- 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);
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- 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
- 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).

5. No development shall take place until both the: (i) 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 and NPPF 73 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. And (ii) Alternative arrangements for the provision of open space, recreation and sports facilities have been secured and approved in writing by the Local Planning Authority.

6. A detailed scheme for landscaping, including the planting of trees and/or shrubs shall be submitted to the Local Planning Authority as part of the submission of reserved matters; such scheme shall specify types and species, a programme of planting and the timing of implementation of the scheme, including any earthworks required. The scheme should also have regard to the advice of Network Rail to minimise any potential impact on the rail network.

7. The site shall be developed with separate systems of drainage for foul and surface water on and off 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 runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site 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).

9. 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.

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.

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.
- b. Details of the method and means of surface water disposal.
  - c. Details of all proposed street lighting.
  - d. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
  - e. Full working drawings for any structures which affect or form part of the highway network.
  - f. A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details.

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

10. 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.

11. 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.

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 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.

13. 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 35 metres northwesterly measured along both channel lines of the major road Meadow Lane 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.

14. 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 35 metres southeasterly measured along centre line of the major road Meadow Lane 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.

15. 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 metre 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.



16. 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 provision of tactile paving and a footway to link to Meadow Lane/Meadow Close junction including provision of tactile paving.

17. 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 under condition number 16: Footway to link to Meadow Lane/Meadow Close junction including provision of tactile paving.

18. Notwithstanding the provision of any Town and Country Planning General Permitted or special Development Order for the time being in force, the parking spaces, turning areas and access shown on the approved plan shall be kept available for their intended purposes at all times.

19. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

20. 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.

21. Prior to the commencement of development a site specific noise and vibration assessment shall be carried out and submitted for the written approval of the Local Planning Authority and shall include mitigation measures to reduce the impact of the adjacent railway. Thereafter, the development shall incorporate the identified mitigation measures.

22. Prior to the importation of topsoil i.e. for the landscaping of the gardens, details of the supplier and confirmation on the source(s) of any soil material should be supplied to the Local

Planning Authority for approval. The soil should be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2007 - Specification for Topsoil and requirements for use.

#### Informatives

1. Operating times for construction should be limited to:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

2. Surface Water Drainage now the responsibility of the LLFA. Changes to the [Planning Practice Guidance \(Flood Risk\)](#) and the [new DMPO](#) which took effect on 15 April 2015. These support the use of SuDS solutions for surface water management from new development, and explain that the expert advice on surface water proposals should come from the LLFA. The LLFA is now the Statutory Consultee on these matters for major applications, and manage the regulation of works affecting all watercourses except for those designated 'main river' (this remains with the Environment Agency).

3. The Environment Agency still has a Strategic Overview role on flood risk and continues to be a statutory consultee in areas of flood zone 2 and 3. We will fulfil this role by advising on the interaction of drainage with flooding from rivers and sea, and continue to make comments as appropriate on local flooding issues from other sources. We will no longer provide detailed comments on the drainage proposals.

4. The applicants or any future developer's attention is drawn to the advice provided by Network Rail with respects to their requirements for developments that are undertaken adjacent to an operational railway line

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. (\*)

**26/2016/17630 Non-material amendment to planning condition 5 (relating to affordable housing) of planning appeal reference App/C2708/W/16/3144209 (CDC ref 26/2015/16037) for 9 dwellings, land to the east of Laurel Croft, Embsay – Condition 5 of planning permission ref: 26/2015/16037 amended to read as follows:**

The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme. Affordable housing shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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% of housing units unless otherwise agreed with the local planning authority following an assessment of financial viability;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. 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);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

- v. 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
- vi. 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).

Informative : This non-material amendment relates to variation of the wording of condition 5 of planning permission ref: 26/2015/16037 only. The conditions attached to that planning permission as set out in the appeal decision ref: APP/C2708/W/16/3144209 are still applicable and must be complied with.

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. (\*)

**32/2016/17488 Proposed development of three new detached, traditional stone built dwellings (resubmission of refused application referenced 32/2015/16016), 3 White Abbey, Green Lane, Glusburn** – subject to appropriate conditions to be formulated by the Development Control Manager. In moving approval contrary to the officer's recommendation, the mover indicated that he considered the amendments to the previously refused scheme had addressed the reasons for refusal.

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 advised the applicant / agent with respect to the reasons why the application could not be supported in its current form. (\*)

**42/2016/17564 Proposed amended layout for the 53 static caravans on part of Phase II Gallaber Caravan Park altering the previously approved layout under references 52/2001/1221 and 52/2002/2318 to 51 static caravans, Gallaber Park, Gallaber, Long Preston.**

#### Summary of Conditions

1. The development shall not be carried out other than wholly in accordance with Drawing No: EA 5309-01 received by the Local Planning Authority on 15<sup>th</sup> November 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.
2. The external surfaces of all static caravans on the site shall be painted in accordance with a range of colours which have previously been approved in writing by Craven District Council. The caravans shall be retained in those approved colours thereafter.
3. No static caravan on the site shall be occupied at any time as a place of permanent residence, or occupied by any person or group of persons during the period from the 14<sup>th</sup> January to the 1<sup>st</sup> March in any year.
4. All hard and soft landscape works shall be carried out in accordance with the approved plans. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with Craven District Council.
5. If within a period of 5 years from the date of the planting of any tree, shrub or hedgerow (hereinafter called a "tree") that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of Craven District Council, seriously

damaged or defective, another tree of the same species and size as that originally planted at the same place, unless Craven District Council gives its written consent to any variation.

6. The operating times for any construction works associated with the development shall be limited to:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

Discharge of Condition(s) : With regard to Condition Nos. 2 and 4 above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.

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

**62/2016/17189 Partial discharge of condition 3 and discharge of condition 5 of planning approval 62/2014/14929, land to south of Ingfield Lane, Settle – Approved in part, as follows**

1. That bullet points 1, 3 and 4 of Condition 3 are discharged and the condition is therefore discharged in part only with the following matters (i.e. bullet points 2, 5 and 6) remaining to be discharged:

- A full assessment undertaken by an appropriately qualified person to demonstrate that the proposed planting within the proposed swales and flood plains is appropriate to prevent particulate pollutants from contaminating neighbouring wetland areas or watercourses.
- Details of all changes in level or landform.
- Full details of the how the permitted development is to be managed and maintained in perpetuity. Information should include details of how the maintenance of the proposal is to be financed and furthermore the measures that will be undertaken to ensure the permitted development continues to fulfil its intended purpose.

2. That condition 5 of planning permission ref: 62/2014/14929 is not discharged.

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.

**63/2016/17515 Outline planning permission for residential development with all matters reserved, R N Wooler and Co, Carleton Road, Skipton.**

Summary of Conditions

1. No development shall commence until approval of the details of the layout, appearance of the building(s), the landscaping/boundary treatments, and the scale of development (hereinafter called “the reserved matters”) has been obtained from the local planning authority in writing. An application for the approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

2. The approved plans comprise drawing titled 'Location Plan' received on 27<sup>th</sup> January 2017 and 'Development Plan' received by the Local Planning Authority on 28<sup>th</sup> November 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 details submitted in accordance with condition 1 shall include 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, proposed finished floor levels and building heights.

4. No development shall take place until a scheme of contribution towards the provision of affordable housing, when necessary with regards to the 'Planning Obligations' section of the Planning Practice Guidance (or any guidance or legislation revoking and re-enacting that Guidance with or without modification), has been submitted to and approved in writing by the Local Planning Authority. The affordable housing contribution shall be provided in strict accordance with the approved scheme.

5. A detailed scheme for landscaping, including the planting of trees and/or shrubs shall be submitted to the Local Planning Authority as part of the submission of reserved matters; such scheme shall specify types and species, a programme of planting and the timing of implementation of the scheme, including any earthworks required.

6. Development shall not commence until actual or potential land contamination at the site has been investigated and a Phase I desk study report has been submitted to and approved in writing by the local planning authority. Reports shall be prepared in accordance with current best practice.

7. Should further intrusive investigation be recommended in the Phase 1 report. Development shall not commence until a Phase II intrusive site investigation report has been submitted to and approved in writing by the local planning authority. The Phase II Intrusive Site Investigation report shall be prepared in accordance with current best practice.

8. Should remediation be recommended in the Phase II Intrusive Site Investigation report, development shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

9. 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 Validation Report shall be prepared in accordance with current best practice. 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.

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 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 visibility splays
  - iii. the proposed buildings and site layout, including levels
  - iv. accesses and driveways
  - v. drainage and sewerage system
  - vi. lining and signing
  - vii. traffic calming measures
  - viii. all types of surfacing (including tactiles), kerbing and edging
  - ix. visibility splays
- 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 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.

11. No development approved by this permission shall be commenced until the Local Planning Authority in consultation with the Internal Drainage Board has approved a Scheme for the provision of surface water drainage works. Any such Scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use. The following criteria should be considered:

- Any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from a brownfield site should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from “greenfield sites” taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 20% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology.

12. The suitability of new soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 to the satisfaction of the Approving Authority, who is generally the Local Authority. If the soakaway is proved to be unsuitable then in agreement with the Environment Agency and/or the Drainage Board, as appropriate, peak run-off must be attenuated to 70% of the existing rate (based on 140 l/s/ha of connected impermeable area). If the location is considered to be detrimental to adjacent properties the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. The suitability of any existing soakaway to accept any additional flow that could be discharged to it as a result of the proposals should be ascertained. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained.

13. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

14. The existing sites bunds shall be retained or reduced below its present height above ground level.

#### Informatives

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

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

3. The applicant should be advised that the Board’s prior consent is required for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge to the watercourse will also require the Board’s prior consent.

4. Where a soakaway is to be newly constructed the Board recommends that the applicant be asked to carry out soakaway testing, in accordance with BRE Digest 365, in order to ascertain

that the soil structure is suitable for a soakaway system. Should the testing prove to be successful the applicant should then submit a design for the soakaway, for approval by the Planning Authority, which would fully accommodate a 1:30 year storm event, with no overland run-off for a 1:100 year event plus a 20% allowance for climate change.

5. In imposing conditions above relating to highways 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.

6. 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.

7. The hours of operation during construction phase of development and delivery of construction materials or equipment to the site and associate with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.

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.

(Having declared an interest in the above application under Paragraph 15 of the Council's Code of Conduct, Cllr Mason left the meeting, not returning for consideration of application 63/2016/17637.)

**63/2016/17637 Application for advertisement consent for poster frame signage, amendment to and resubmission of previous application 63/2016/17003, High Street Car Park, Skipton; Waller Hill Street Car Park, Skipton Cavendish Street Car Park, Skipton; Coach Street Car Park, Skipton Community Centre Car Park, Ingleton; Whitefriars Car Park, Settle.**

#### Summary of Conditions

1. The consent hereby granted is valid for only 5 years
2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority
3. Any device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
4. Where any advertisement is required under these Regulations to be removed the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
5. No advertisement is to be displayed without the permission of the owner of the site or any other such person with an interest in the site entitled to grant planning permission.
6. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, to render hazardous the use of any highway.
7. The approved plans comprise of :



- Aireville Park Location Plan received by Craven District Council on the 7<sup>th</sup> December 2016
- Cavendish Street Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.
- Coach Street Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.
- High Street Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.
- Waller Hill Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.
- Community Centre Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.
- Whitefriars Car Park received by Craven District Council on the 7<sup>th</sup> December 2016.

The development shall be completed in accordance with the approved plans.

8. The advertisement hereby approved shall not be illuminated.

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.

### Permission Refused

**30/2016/17586 Demolition of existing garage and stables and construction of 2 no. 2 bedroom cottages and car spaces, adjacent 27 High Street, Gargrave** – the Development Control Manager to formulate appropriate reasons for refusal based on the following grounds

- a. The proposed development fails to enhance or preserve the Gargrave Conservation Area.
- b. The proposed development is considered to be overdevelopment.
- c. Access and egress and in particular potential conflict with pedestrians as vehicles exit the site.

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. (\*) (SV)

**62/2016/17188 Phase 2 of development of land comprising; hybrid application for a mixed use development including; full details of the erection of 65 dwellings (C3), public open space, landscaping and access details; together with an outline application for 2.83ha of residential development (C3), 1.2ha of serviced employment land (B1/B1c class), with public open space and landscaping (outline) with details of new access from skipton road (B6480) (Phases 3 and 4), land south of Ingfield Lane and east of Skipton Road, Settle** – the Development Control Manager to formulate appropriate reasons for refusal based on the following grounds

- a. The visual impact of the proposed development's encroachment into open countryside.
- b. Impact on the Settle and Carlisle Conservation Area.
- c. Harm to the setting of the Grade II Listed Falcon Manor Hotel.

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. (\*)

**66/2016/17442 Outline application with some matters reserved for the erection of circa 32 no. dwellings with means of access from Holme Lane and associated works, land to the west of Holme Lane, Sutton-in-Craven** – the Planning Inspectorate to be informed that had an appeal for non-determination not been made, the decision that would have been taken by the Council as Local Planning Authority would have been one of refusal for the following reasons.

Reasons for Refusal

The proposed development would compromise the gap between Sutton in Craven and Glusburn and would constitute large scale development beyond the settlement boundary. It would be contrary to Policies BE3 and ENV1 of the Local Plan. However, in terms of the presumption in favour of sustainable development the adverse impacts in relation to the individual character and identity of the settlements, their overall character and appearance and that of the area generally are sufficient to significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. (\*)

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

PL.819

### **PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 1<sup>st</sup> to 31<sup>st</sup> January 2017.

### **Minutes for Decision**

- None -

Chairman.