

## **PLANNING COMMITTEE**

19<sup>th</sup> December 2016

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

**Officers** – Development Control Manager, Solicitor, Principal Planning Officer, Planning Officers (x3), Planning Assistant and Committee Officer.

Ward Representatives : Councillor Barrett (Applications 32/2016/17327 and 32/2016/17446).  
: Councillor Ireton (Applications 18/2016/17343 and 18/2016/17399).

Start: 1.35pm

Finish: 5.10pm

Councillor Harbron left the meeting at 4pm.

Councillor Place left the meeting at 4.30pm.

Councillor Heseltine left the meeting at 4.46pm.

The minutes of the Committee's meeting held on 21<sup>st</sup> November 2016 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.811

#### **PUBLIC PARTICIPATION**

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

Application 52/2016/17132 : Mrs J Marley (objector / for objectors)

: Mr P Jones (for the applicant)

Application 32/2016/17327 : Mr P Baker (for Glusburn and Cross Hills Parish Council)

: Ms J Spauls (objector / for objectors)

: Mr J Steel (for the applicant)

Application 18/2016/17343 : Mr C Price (Clapham cum Newby Parish Council)

: Mrs K Wallbank (applicant)

Application 32/2016/17446 : Mr P Baker (for Glusburn and Cross Hills Parish Council)

: Mr R Wade (for the applicant)

Application 18/2016/17399 : Mr J Ellis (for the applicant)

Application 31/2016/17348 : Mr B Coultherd (applicant)

PL.812

#### **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

08/2016/17380 Erection of two storey building providing staff welfare and office accommodation, Over Raygill, Dumb Toms Lane, Ingleton – Conditional approval.

08/2016/17371 Proposed building for agricultural storage (machinery and hay), Punch Bowl Barn, Mill Lane, Low Bentham – Refusal.

08/2016/17345 Erection of agricultural building, land off Nutgill Lane, Bentham – Conditional approval.

08/2016/17037 Application to amend condition 2 and remove condition no 10 of original planning permission referenced 08/2012/12935, Nutgill Lane, Ingleton – Conditional approval.

08/2016/17364 Replacement of rear single storey conservatory with garden room rear extension, Laskill Barn, Back Lane, Low Bentham – Approval.

08/2016/17357 Proposed alterations to existing dwelling to form an additional bedroom and bathroom, Dandenong, Low Bentham Road, High Bentham – Approval.

15/2016/17276 Application for listed building works consent for:- replacement of old wooden garden shed with new timber summerhouse/shed; construction of traditional stone patio around front of sycamore tree; construction of post-and-rail fence and gate softened with native hedge to create gravelled parking area, Tatham House, Low Street, Burton in Lonsdale – Permission not required.

31/2016/17390 Retrospective application to regularise partial works undertaken on site with regards to the two storey side extension and single storey rear extension, 12 Sandholme Close, Giggleswick – Approval.

31/2016/17337 Listed building consent to strip and re-wire electrical system; replacement central heating system; and re-plumb domestic water system, Sutcliffe House, Belle Hill, Giggleswick – Conditional approval.

36/2016/17305 Extension of residential curtilage to north of New Laithe Barn and erection of a double garage and domestic workshop. Erection of boundary demarkation to the south to separate residential curtilage from agricultural land, New Laithe Barn, West Thornber, Halton West – Conditional approval.

49/2016/17354 Proposed detached store building for domestic use, Higher Blaithwaite Barn, Stackhouse Lane, Lawkland – Approval.

62/2016/17420 Application for amendment to original planning approval 62/2014/14800 to change location of Plots 13, 14 and 15, Plots 13, 14 and 15, Brockhole View, Settle – Conditional approval.

62/2016/17330 To construct single storey extension, Unit 6 Industrial Estate, The Sidings, Settle – Conditional approval.

62/2016/17395 Erection of fence on existing stone wall, Rose Cottage, Bond Lane, Settle – Approval.

72/2016/17404 Reserved matters application following approval of outline consent referenced 72/2016/17138 granted 5 September 2016, Pikeber Farm, Wigglesworth – Conditional approval.

#### South Craven Area

05/2016/17197 Extension of an existing steel framed agricultural building, Newton Grange, Bank Newton – Conditional approval.

11/2016/17394 Construction of new single storey one bedroom dwelling, 12 Ings Drive, Low Bradley – Refusal.

17/2016/17428 Proposed single storey extension to West elevation of care home (resubmission of refused application referenced 17/2016/16952), Coach House Residential Home, Carla Beck Lane, Carleton – Conditional approval.

17/2016/17429 Proposed secure store for small scale equipment associated with ensuring the appropriate standards of animal husbandry, Lower Carleton Biggin Farm, Pale Lane, Carleton – Conditional approval.

22/2016/17381 Change of use of agricultural land to site stable block, Piper Lane Head Farm, Piper Lane, Cowling – Conditional approval.

22/2016/17141 Proposed new dwelling Carr Head, Cowling – Conditional approval.

22/2016/17403 Conversion of existing agricultural buildings to three dwellings. (Prior Approval Notification) Park Farm, Park Lane, Cowling – Prior approval granted.

24/2016/17329 Single storey side extension, Braybank, Spring Rise, Draughton – Approval.

32/2016/17452 Proposed detached dwelling and detached double garage, 22 Bungalow Road, Glusburn – Conditional approval.

32/2016/17372 Minor material amendment application of previous approval (32/2015/15658) to include Sk2569 Rev 'A' to show step in plan of constructed garage block, 9 Park Street, Cross Hills – Conditional approval.

32/2016/17358 Application to remove condition no's 6 and 9 of original planning consent reference 66/2007/7290, Stable Cottage Malsis, Colne Road, Glusburn – Refusal.

32/2016/17441 Proposed conservatory, 19 Aire Crescent, Cross Hills – Approval.

56/2016/17389 Construction of tennis court and fence (resubmission of previously refused application 56/2016/16702), Ingthorpe Grange, Ingthorpe Lane, West Marton – Refusal.

66/2016/17307 Demolition of existing bungalow and construction of two bungalows, Valyn, The Acres, Sutton-in-Craven – Conditional approval.

66/2016/17048 Application for 4 x floodlights (5m column, 76mm in width, painted black to match the lamp posts in the park, 2 lights per pole) sited at the four corners of the bowling green. The lights would be used no later than 10.00pm, Sutton Park, Main Street, Sutton-in-Craven – Conditional approval.

66/2016/17384 Proposed extensions and alterations, The Ashes, West Lane, Sutton-in-Craven – Approval.

66/2016/17341 Replacement single storey rear extension, 1 Ash Grove, Sutton-in-Craven – Approval.

69/2016/17508 Prior approval notification for the erection of an agricultural building, Town Hill Laithe Farm, Cam Lane, Thornton in Craven – Prior approval not required.

73/2016/17454 Application for amendment to previous listed building consent reference 73/2016/17146 to simplify the construction and improve appearance as per amended drawings, Cobblers Barn, New Lane, Silsden – Conditional approval.

73/2016/17401 Conversion of agricultural barn into 2 dwellings - Part A only, to utilise existing access (Prior Approval Notification) Agricultural Barn, New Lane, Silsden – Prior notification refused (application required).

Skipton Area

26/2016/16977 Application for listed building consent to place a bronze plaque in memory of the service men and women who have died in the service of their country since 1945, War Memorial, adjacent Village Hall, Main Street, Embsay – Conditional approval.

30/2016/17383 Application to vary condition no. 3 (that relates to re-pointing details) of original planning consent reference 30/2016/16822, Gargrave House, West Street, Gargrave – Conditional approval.

30/2016/17367 Two storey rear extension to provide additional bedroom with en-suite over new kitchen, 22 Skipton Road, Gargrave – Approval.

63/2016/17196 Outline application with some matters reserved for demolition of existing workshops and construction of 7no houses, Pendle Street Garage, Broughton Road, Skipton – Conditional approval.

63/2016/17061 Installation of biomass boilers and plant room (resubmission of withdrawn retrospective planning application reference 63/2015/16394). 3 No wood pellet silos. Rendezvous Hotel, Keighley Road, Skipton – Conditional approval.

63/2016/17368 Replacement of existing PVCu windows with new PVCu windows, 28-34 and 44-50 North Parade, Skipton – Conditional approval.

63/2016/16802 To take down and rebuild bay window to shop with proposed extension, The Paper Shop, 1a Sunmoor Drive, Skipton – Conditional approval.

63/2016/17466 Retrospective planning permission in respect to the installation of a security roller shutter that has been installed externally to the shop front, Harry Garlick Ltd, 26 High Street, Skipton – Refusal.

63/2016/17440 Proposed new dwelling adjoining number 37 Broughton Road, Skipton – Conditional approval.

63/2016/17360 Change of use of ground floor (part) from B1 office to D1 community use; external alterations and extension to create new entrance and toilet facilities, The House, 47-53 Otley Street, Skipton – Conditional approval.

63/2016/17578 Change of use of ground floor only to retail use, 1 Castle Street, Skipton – Permission not required.

63/2016/17464 Proposed new Green Keepers building (resubmission of application 63/2016/16722), Skipton Golf Club, Short Lee Lane, Skipton – Conditional approval.

63/2016/17415 Construction of a two bedroom dwelling on the end of existing terrace along with parking accessed off Greatwood Avenue, 2 Western Road, Skipton – Conditional approval.

63/2016/17444 Application to vary condition nos 2, 3, 5, 8,10, 17, 18, 19 and 21 of original planning consent reference 63/2015/16230 - to accommodate amendments to unit 1, unit 4, the car parking area and alterations to the service yard. Guyson International Ltd, Snaygill Industrial Estate, Keighley Road, Skipton – Withdrawn.

63/2016/17350 Single storey rear extension to provide additional sun room, 16 Park Wood Crescent, Skipton – Approval.

63/2016/17301 Removal of existing detached storage/garage building and erection of single story

side extension, 7 Crag View Road, Skipton – Approval.

63/2016/17422 Proposed first floor rear extension over enlarged ground floor kitchen, 48 Clitheroe Street, Skipton – Approval.

63/2016/17493 Proposed single storey and two storey extension to existing property and repositioning of existing garage, 87 Burnside Avenue, Skipton – Approval.

63/2016/17492 Proposed conservatory, 43 Hepworth Way, Skipton – Approval.

63/2016/17286 Single storey rear extension with timber decking area located to the front of the property, 7 Moorland Terrace, Skipton – Approval.

63/2016/17495 Listed building consent to repair/replace first floor windows to front elevation like for like; Paint exterior to match existing; Repair and clean gutters; Repair roof by replacing missing tiles and refurbish the internal sales area, Clintons, 18 Sheep Street, Skipton – Conditional approval.

63/2016/17279 Application to discharge condition no. 5 of original planning consent reference 63/2014/14741, Whitelock Yard, Former ATS Depot, Carleton Road, Skipton – Conditional approval.

63/2016/17489 Application to discharge condition nos 3, 4, 5, 6 and 7 of original planning approval 63/2014/14371, 2 Belle Vue Square, Skipton – Conditional approval.

63/2016/17490 Application to discharge conditions no's 3, 4 and 5 of original listed building consent referenced 63/2014/14373, 2 Belle Vue Square, Broughton Road, Skipton – Conditional approval.

63/2016/17227 Confirmation of compliance of conditions for reference (63/2016/2310), 2 Crookrise View, Skipton – Confirmation response issued.

65/2016/17014 Proposed formation of overspill car parking for Keelham Farm Shops. The scheme is for 33 cars plus storage for shopping trolleys on land owned by Craven Cattle Marts Ltd. Access is from the existing car park access road. Ling Fields, Gargrave Road, Skipton – Conditional approval.

## **b. Applications**

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

### **Permission Granted**

**18/2016/17399 The construction of three residential dwellings (two semi-detached and one detached) with associated access and landscaping (resubmission of refused permission 18/2016/16738), land to the south of Clapham, bounded by Station Road, Clapham – the Development Control Manager to formulate and attach appropriate conditions.**

Note : In approving this application contrary to the Officer's recommendation, Members indicated that they believed the site to be sustainable, in walking distance of public transport and village facilities which approval of the proposed development would help to sustain.

**31/2016/17348 Construction of detached dwelling with associated off street parking, site adjacent to Bankwell Road, Giggleswick.**

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 approved plans comprise Drawing No's 02 Rev A – Site Layout received by Craven District Council on the 14<sup>th</sup> September 2016, 04 – Proposed Plans received by Craven District Council on the 14<sup>th</sup> September 2016 and 05 – Proposed Elevations received by Craven District Council on the 14<sup>th</sup> September 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. Notwithstanding the details indicated on the approved plans and supporting documents, prior to their first use details of all the materials to be used on the external elevations shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
4. Prior to the first use, full details of the materials to be used within the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the walls surrounding the dwellings and hard surfacing materials. The development shall be undertaken in accordance with the approved details and shall be maintained at all times thereafter.
5. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
6. 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 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
  - d. That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
  - e. 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.
  - f. 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.
8. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.
9. Notwithstanding the provision of any Town and Country Planning General Permitted Order 2015 or any Order revoking or re-enacting that Order for the time being in force, the areas shown on 05/2016/04 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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

11. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, fencing shall be erected in accordance with BS5837:2012 'Trees in Relation to Construction' along the northwest and northeast boundaries of the application site. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Informative : The fencing erected in accordance with BS5837:2012 'Trees in Relation to Construction' should be sufficiently strong to withstand impacts likely to be caused during any building operations undertaken in the vicinity. The recommendations BS5837:2012 should be consulted and employed. Standards indicate the minimum recommended for fencing erected is to be at least 2.3m in height, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either herras fencing or chain link in accordance with the plan on page 13 figure 2 of the above British Standard.

12. The permission hereby given does not include the removal of the trees T1 to T6, T8 and T9 that are identified to be retained in the Tree Report by I Tavendale (and 1:250 plan that accompanied that appraisal) received by the Local Planning Authority on 14<sup>th</sup> September 2016. With the exception of this stipulation, the development hereby permitted shall otherwise be carried out wholly in accordance with the aforementioned appraisal and accompanying plan.

13. Prior to any development occurring on site full details of the replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority.

14. The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2007 - Specification for Topsoil and requirements for use.

15. At the request of the Local Planning Authority, details of the supplier(s) and confirmation on the source(s) of any topsoil material should be supplied within 21 days of any request being received.

#### Informatives

A separate metered supply to the unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0370 751 0101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term

operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Any further information regarding Developer Services and Planning please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

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 dwelling hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No works should take place on Sundays or Bank/Public Holidays.

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.

#### Discharge of Condition(s)

1. The developer should note that Condition No 7 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's 4, 5 and 13 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.

**52/2016/17132 Application for variation of Condition 3 of planning permission ref: 52/2002/2318 dated 19 September 2002 to allow for touring caravans to be sited all year round but occupied between 1st March and 14th January in the following year, Gallaber Park, Long Preston.**

#### Summary of Conditions

1. The development hereby approved shall be carried out in accordance with the amended plans (reference 'Elevations and plan for toilet block and general purpose building' dated 22nd August 2002; the site plan dated the 9th September 2002; and the site layout dated the 11th September 2002) submitted by David Hill Chartered Surveyors (under planning permission ref: 52/2016/2318).

2. (Condition Amended) The touring area set out on the approved plan (submitted by David Hill Chartered Surveyors on the 10th July 2002 and on the site plan dated 2<sup>nd</sup> July 2016 submitted



with application ref: 52/2016/17132) shall be occupied for touring caravans only. No storage of caravans shall take place on the touring site and no static caravans shall be sited on the land at any time. The site shall remain vacant and shall not be used for the siting of touring caravans for the period from 14<sup>th</sup> January to 1<sup>st</sup> March.

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.

Note : Storage element of this application withdrawn. Conditions attached to the previous planning permission (ref: 52/2002/2318) have been amended or deleted where no longer applicable as appropriate.

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 cannot be supported in its current form. (\*)

**73/2016/17460 Application for variation of condition no 5 of previously approved application reference (73/2015/16064), redundant chicken sheds Kildwick Grange, The Folly to Near Woodside Farm, Kildwick.**

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 drawing nos. 001 revision B, 002 revision B and 003 revision A received by the local planning authority on 26<sup>th</sup> January 2016 and the Design Access and Heritage Statement and Bat, barn Owl and Nesting Survey received on 29<sup>th</sup> July 2015. 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. (Amended condition) Prior to the occupation of the dwellings hereby approved details of private water supply measures have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
4. (Amended condition) Notwithstanding the details shown on the approved plans the garage doors shall be large panelled roller doors with an embossed wood grain finish and shall be either painted / powder coated to match the painted timber windows to each property (heritage green or cream) or Golden Oak finished with a wood grain effect ( as per details submitted by the applicant's agent on 14<sup>th</sup> December 2016). The doors shall be retained as such thereafter.
5. (Condition discharged in part) Prior to their first use all surface material finishes for the access, footpaths, private drives and all other hard surfaces; screen walls, fences and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
6. (Amended condition) Prior to the occupation of the dwellings hereby approved a scheme for landscaping, including a detailed tree survey and scheme of planting of trees and/or shrubs shall be submitted to and approved by the Local Planning Authority and shall specify types and species, a programme of planting and the timing of implementation of the scheme, including

any earthworks required. The development shall be undertaken in accordance with the approved landscaping scheme and shall be maintained at all times thereafter.

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

8. (Amended condition) None of the dwellings hereby approved shall be occupied until the easternmost building on the site has been demolished and all materials arising from the demolition of both that and the westernmost building have been permanently removed from the site.

Informatives:

1. During construction / demolition, there is a potential for noise nuisance to nearby residential properties. To safeguard the living conditions of nearby residents particularly with regard to the effects of noise the operating times for demolition/construction should be limited to:

- 0730 to 1800 Monday to Friday
- 0800 to 1300 Saturday
- No Sunday or Bank Holiday working.

2. Regard should be had for the safe removal of any potentially 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.

3. The developer is strongly advised to ensure that the proposal complies with the requirements of the Planning Practice Guidance and the Environment Agency's Pollution Prevention Guidance Note 4.

The Planning Practice Guidance and the Environment Agency's Pollution Prevention Guidance Note 4 clearly set out a foul drainage hierarchy which aims to encourage foul drainage disposal to a mains sewer system whenever one is available. Where a mains sewer connection cannot be achieved, applicants must first consider the use of a package treatment plant discharging to a soakaway. Provided there is sufficient land available and the ground conditions are such that a soakaway will be effective, the ground will provide additional attenuation to the quality of the water discharged. A septic tank discharged to soakaway may also be acceptable in some circumstances.

If neither the use of a soakaway or a direct discharge is possible, consideration may then be given to the use of a system without any discharge such as a sealed cess pool or chemical toilet. Such sealed systems are a last resort given their need to be regularly emptied and their capacity to overflow or be breached. The traffic impacts and carbon emissions associated with regular emptying, and the risk that they may discharge raw sewage direct to the water environment means these solutions have the potential to render such a development unsustainable.

In addition, the developer may also require an Environmental Permit from the Environment Agency for water discharge activity. You are advised to contact the National Permitting Service (Tel. 08708 506506) at the earliest opportunity. For more general advice, applicants are advised to refer to the Environment Agency's Pollution Prevention Guidance Note number 4 via:

(<http://publications.environmentagency.gov.uk/pdf/PMHO0706BJGL-E-E.pdf?lang=e>).

4. Advice to applicant in relation to contaminated land - It is recommended that developers should:

- i) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- ii) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- iii) Refer to our guiding principles on groundwater protection are set out in our document GP3 - Groundwater Protection Policy and Practice, which is intended to be used by anyone interested in groundwater and particularly those proposing an activity which may impact groundwater.  
GP3 is available on the Environment Agency website at:  
<http://www.environmentagency.gov.uk/research/library/publications/40741.aspx>
- iv) Refer to the Environment Agency website at; [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

5. 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 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300-060-3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0345 1300 228.

As bats are a European protected species, a bat handling licence is required to move them. Therefore, the Trust recommends that if any bats are found, that a suitably qualified ecologist is contacted immediately to relocate the bat.

The Trust also recommends that a bat box be installed on the site, prior to commencing demolition works, so that any bats can be easily relocated to a suitable environment.

#### Discharge of Condition(s)

1. The developer should note that Condition Nos 4, 6 and 7 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. 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. 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.

- advised the applicant / agent with respect to the reasons why the application cannot be supported in its current form and provided advice with respect to a resubmission.

### **Permission Refused**

**32/2016/17327 Outline application with all matters reserved for the construction of twenty houses with the exception of access, layout and scale (amended plans - layout), land at Ling Haw Hill/Brow Top, Cononley Road, Cross Hills** – the Development Control Manager to formulate appropriate reasons for refusal based on the following grounds

- a. The visual impact on an important gateway to the village.
- b. Adverse impact on the landscape - the site's prominent location / the visual impact on the open landscape bearing in mind both distant and near views of the site.
- c. The site's connectivity to Glusburn Primary School bearing in mind the absence of a footway in Green Lane.
- d. Connectivity to public transport, and other community services within the village.

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. (\*)

(Councillor Dawson declared an interest under Paragraph 15 of the Code of Conduct (financial interests of a friend), he left the room taking no part in the determination of the above application.)

**32/2016/17446 Formation of new dwelling within the former reservoir, redundant reservoir, Cononley Road, Cross Hills.**

#### Reasons for Refusal

There are no special circumstances that outweigh the harm to the open countryside that would be created by a new dwelling in this location. The retention of the reservoir structure and associated access track would have a significant adverse impact on the character and appearance of the landscape, especially from long range views into the site. The proposed dwelling is therefore contrary to Saved Policies ENV1 and ENV2 of the Craven Local Plan and the advice within the National Planning Policy Framework.

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

### **Consideration Deferred**

**18/2016/17343 Re-construction of partially collapsed barn to form B1 workplace and ancillary living accommodation, Bence Barn, Keasden Road, Clapham** – consideration deferred; the applicants to be invited to submit an application to rebuild a structure on the site of what remains of the current structure, such application to be accompanied by a structural engineer's report making clear what will happen on site. (SV) (\*)

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

(SV = Committee site visit held.)

PL.813

**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 30<sup>th</sup> November 2016.

**Minutes for Decision**

- None -

Chairman.