

PLANNING COMMITTEE MEETING AGENDA

Wednesday 02 September 2015

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WARD AND APPLICATION No.	PROPOSED DEVELOPMENT AND SITE ADDRESS
<i>HELLFLD & LNG P 42/2015/15870</i>	<i>OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING OF 21 DWELLINGS, INCLUDING CONSTRUCTION OF A NEW VEHICULAR ACCESS OFF A65. LAND OFF A65 KENDAL ROAD, HELLIFIELD. APPLICANT NAME: CCM AUCTIONS TARGET DECISION DATE: 31/07/2015 CASE OFFICER: Andrea Muscroft</i>

The application has been referred to Planning Committee as the proposal has been advertised as a departure from the development plan under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Members deferred consideration of this application at the meeting on 3 August 2015 for further written advice on reasons for refusal. Members cited the following reasons.

1. The Council has a five year housing land supply.

Officer advice. One of the objectives of the NPPF is to widen the choice of high quality homes and to significantly boost the supply of housing. Accordingly, the NPPF requires LPA's to identify and update annually a supply of specific deliverable sites for housing ensuring that there is sufficient to provide for a five year supply against local requirements.

In May 2015 the Council published a Five Year Housing Land Supply Methodology and Report covering the period 1 April 2016 to 31 March 2021. The report sets out the Council's five year land supply calculations. The report indicates that the Council's five year requirement (excluding any buffer) is 585 dwellings and the identified supply is 729 dwellings (i.e. an additional 144 dwellings). The Council is also required to provide an additional 20% buffer over and above the 5 year supply, but the report indicates that the Council has more than the five year requirement and can demonstrate 124.6% or 6.23 years, which also more than meets the NPPF requirement for an additional 20% buffer.

To produce the Five Year Housing Land Supply Methodology and Report the Council first had to identify the District's objectively assessed needs for market and affordable housing. This interim assessment is based on the latest 2012 base household projections from DCLG and has identified that the Council needs to provide an average 117 dwellings per year. Both the Council's assessment of the housing need for the area, through the updated Strategic Housing Market Assessment (which is currently being prepared), and its ability to provide a 5 year land supply (plus a 20% buffer) to meet this need, will be matters that are considered further through the Local Plan process and it is likely that the annual housing requirements will increase. So whilst the Five Year Housing Land Supply Methodology and Report indicates that the Council can demonstrate a 5 year land supply at this stage, this has not yet been subjected to full independent testing and examination. Officers therefore consider that the existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is however, a material consideration in the planning judgement that can be given weight in the decision making process.

2. Housing provision has been identified elsewhere in the emerging Local Plan
Officer advice. The emerging Local Plan identifies a site to the south of Skipton Road for housing that has been the subject of consultation and a decision has yet to be made on whether or not to identify the site as a preferred option. The identification of the site on Skipton Road carries little weight at this stage and cannot be used as a reason for resisting development on other sites. Due consideration must be given to paragraph 14 of the NPPF which advises that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

3. Sustainability.
Officer advice. Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role: by ensuring that sufficient land of the right type is available in the right places at the right time to support growth. The development of this site would contribute to that role.
- a social role: by providing a supply of housing required to meet the needs of present and future generations with accessible local services that reflect the communities needs including affordable housing (although this is an outline application the applicant proposes to provide 40% affordable housing on the site which would include rented and intermediate units for sale). Hellifield has a range of services and facilities including rail and bus services; shops (including a post office, village store, butchers, florists); doctor's surgery; school; public house and garage.
- an environmental role: by contributing to protecting and enhancing the natural, built and historic environment. The site has no special designation; there are no natural constraints including flood risk; there are no built constraints and there are no historic environment constraints.

It is therefore concluded that Hellifield is a sustainable location for residential development. Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development and refusal on this ground cannot be justified.

4. Loss of agricultural land.
Officer advice. The site is identified as Grade 4 agricultural land. Paragraph 112 of the NPPF advises that Local Planning Authorities should take account of the economic benefits of the best and most versatile land. The best and most versatile land is defined in Annex 2 to the NPPF as land in grades 1, 2 and 3a of the Agricultural Land Classification. The NPPF advises Local Planning Authorities to seek to use areas of poorer quality land in preference to that of a higher quality. Notwithstanding the fact that the District does not have any Grade 1 and 2 the NPPF does not protect Grade 4 land from development.

5. Overdevelopment.
Officer advice. The application site extends to 0.97 ha. The application is in outline only and the only matters for consideration are the principle of development and the means of access. Any consideration of other matters, such as the illustrative information and the density are irrelevant because they are not part of the application. However, for Members information the illustrative information submitted with the application shows the provision of 21 dwellings which equates to 20 dwellings per hectare. This cannot be considered to be overdevelopment of the site and takes into account local site conditions.

Conclusions

It is concluded that the reasons Members cited for refusal cannot be sustained and the report and recommendation to the Committee on 3 August remains your Officer's advice.

The report to Committee is as follows:-

1. Site Description
 - 1.1 The application site relates to a parcel of land covering approximately 0.97 hectares of pastureland enclosed by a stonewall along the eastern boundary, hedging/trees with timber fencing along the northwest boundary, a stone wall to the southwest boundary with the far south boundary leading into agricultural fields.
 - 1.2 To the north east, the east and the southeast of the site are well established residential areas including Hellifield Community Primary School. To the north and northwest are two established retail/commercial businesses (Townson Tractors and Becks Garden Machinery) that back onto the site. Running through the site is a tarmac lane leading to a collection of isolated dwellings situated to the southwest of the site.
 - 1.3 The site is located adjacent to but not within Development Limits of Hellifield and therefore is consequently located in the open countryside as defined in the Local Plan.
2. Proposal
 - 2.1 The application is an outline application for the construction of a 21 dwellings. The only details proposed for consideration is access into the site. The appearance, scale, landscaping and layout of the development are reserved matters.
 - 2.2 The proposal is supported by the following documentation:-
 - Design and Access Statement.
 - Planning and Heritage Statement.
 - Sustainability Statement.
 - Affordable Housing Pro-Forma.
 - Indicative Site Layout Plan.
 - Indicative Site Layout in Context.
 - Site Opportunities & Constraints Plan.
3. Planning History
 - 3.1 None
4. Planning Policy Background
 - 4.1 The National Planning Policy Framework – NPPF
 - 4.2 Planning Practice Guidance – PPG.
 - 4.3 Saved Policies ENV1, ENV2 & T2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan.
5. Parish/Town Council Comments
 - 5.1 Hellifield Parish Council: Object to the proposal on the following grounds:-

- No community consultation has been undertaken in relation to this site. Therefore, before any discussion is taken it is suggested that such an event is held to enable local resident's feedback and opinions of the development are taken on board.
- Concern over the potential impact of the development on the group of dwellings located to the southwest of the site in terms of noise, disturbance, overlooking, loss of privacy and visual impact.
- Proposed development would further impact on the village infrastructure especially on the electricity supply.
- Question why this greenfield site has been selected given that there are a number of brownfield sites available in the village of Hellifield.
- Financial provision should be made for future groundwork maintenance for green spaces within the site to reduce the financial burden on local government authorities.
- Concern that any affordable provision provided is appropriate to the value of the less expensive housing available in the village.
- Concern over the growth of the village which has increased by approximately 56% in recent years leading to integration issues.
- A Community Engagement Event held in the summer of 2013 identified that due to the scale of development within Hellifield that no further major development should be take place for many years.
- Concern that this would set a precedent for similar development within the village.
- Concern that the proposal is seeking to circumvent the emerging Local Plan.
- Suggest that should the site be granted planning approval that site HE013 identified within the emerging Local Plan is removed from the Local Plan for development.

6. Consultations

- 6.1 **CDC Contamination Officer:** No known contaminated land implications associated with the proposed development.
- 6.2 **CDC Environment Protection:** No objection, but suggest a condition restricting working hours for any construction works associated with the development.
- 6.3 **CDC Strategic Housing:** Details submitted state that the proposal would provide the recommended 40% affordable dwelling, in line with the Interim Affordable Housing Position. However, as the proposal is outline only, no indication of the type, size and location of the affordable homes have been provided at this stage. Notwithstanding the potential for affordable housing the details submitted state that the Council would be prepared to reduce its current requirement for affordable rented housing. However, these comments relate to a site at Back Lane, Hellifield and not to this proposal. Nonetheless, following the refusal of the proposal at Back Lane and the proposal at Station Road Strategic Housing is willing to agree to a greater provision of 'intermediate' units on this site, including intermediate sale.
- 6.4 **CDC Sports Development Officer:** The outline application is acceptable under planning policy SRC2 due to the onsite provision of a village green and the offer of a significant contribution to upgrade existing sports and recreation facilities in the village. Both Station Road Recreation Ground and Thorndale Street recreation grounds are accessible from the site and a contribution of £80,000 would meet SRC2 policy methodology. Therefore it is recommended that a condition is attached to any subsequent approval in order that the applicant fulfils this commitment.

- 6.5 **Environment Agency:** As the proposal falls outside the scope of issues on which the EA wish to be consulted, the EA recommend using their standing advice in respect of this application. Since the site is not located in a flood zone the EA's standing advice offers no comments. However, having regard to comments received from objectors regarding to flooding on the site it is proposed to advise the development that any development needs to comply with the EA standard requirements in relation to flood risk, management of surface water and other sources of flooding.
- 6.6 **NYCC Highways Authority:** No objection subject to the attachment of appropriate conditions.
- 6.7 **Pipelines – Northern Gas Networks:** No comments received at the time of compiling this report.
- 6.8 **Police Designing out Crime Officer:** Should outline planning permission be granted it is recommended that a condition is attached, requiring full written details of what crime prevention measures are to be incorporated into the site, be detailed in any Reserved Matters Application.
7. Representations
- 7.1 Eleven letters of representation (2 from Beck House) has been received, comments have been summarized below:-
- 7.2 Policy Issues.
- Proposal is contrary to the Local Plan Policies.
- 7.3 Visual Impact.
- Concern over the proposal impact on the dwellings at Beck House.
 - Concern that the parcel of land adjacent to the garage at Beck House will become overgrown thus becomes a safety issue.
 - Loss of green buffer.
 - Views across to the National Park will be significantly affected reducing the public enjoyment of this popular recreational walk.
- 7.4 Amenity Issues.
- Proposal would negatively impact on adjacent residential dwellings.
 - Concerns over potential noise disturbance due to the close proximity of the site next to existing commercial premises.
- 7.5 Highways Issues
- Concern over highway safety due to an increase in traffic movements.
 - Concern that any changes to the existing visibility splays would impact on the existing parking areas for Becks Garden Machinery premises.
- 7.6 Flood Risk
- Concern that the proposal would exacerbate an existing flooding issue on site, due to run-off collecting in an area behind the garage of Beck House.
 - Concern that should this not be dealt then it may have an impact on the safety of children.
 - Concern over the stability of the garage at Beck House due to the flooding.
- 7.7 Contamination.
- Concern that the site may be contaminated, with oily residues present.

7.8 Other Issues.

- Concern that the trees may need to be removed.
- Concern that this would lead to the remaining field being developed for housing.
- Concern that the parcel of land adjacent to the garage at Beck House will be so small that the farmer will not wish to take it on.
- The field would lose its access point should the proposal be granted permission and therefore, a new agricultural access point should be addressed.
- Concern over who will maintain the proposed green areas now that NYCC no longer maintains the grass in this area.
- Plans show a permissive footpath, however, it is currently going through land not in the ownership of the applicant.
- Beck House, Beck Cottage and Beck Bar currently have a right of way through the proposed site. There needs to be assurance that these rights will be preserved.
- If the applicant is serious about providing housing then it should be for within the salaries of rural/local people.
- Suggest that the trees located within the School grounds should be protected by a Tree Preservation Order.
- Concern on the proposal impact on biodiversity.

8. Summary of Principal Planning Issues

8.1 Principle of development.

8.2 Visual Impact of development.

8.3 Impact of development on nearby residential dwellings.

8.4 Impact of development on highway network.

8.5 Affordable Housing.

8.6 Open Space Provision.

8.7 Other issues.

9. Analysis

9.1 **1. Principle of development.**

9.2 Following the Coalition Government's abolition of The Yorkshire and Humber Plan (Regional Spatial Plan) on 22 February 2013 the 'development plan' comprises the 'Craven District (Outside the National Park) Local Plan. Further to the Secretary of State's direction in September 2007 (under Paragraph 1 (3) of Schedule 8 to the Planning & Compulsory Purchase Act 2004) the County Structure Plan and a number of Local Plan policies of the adopted Local Plan were deleted. Therefore, the remaining Local Plan Policies referred to form the 'Saved' policies in the Direction.

9.3 The application site lies outside but adjacent to the existing development limits of Hellfield therefore, saved LP Policy ENV1 applies. Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development and restricts development to small scale proposals appropriate for the enjoyment of the scenic qualities of the countryside and other appropriate small-scale development having a rural character and where the proposal clearly benefits the rural economy; helps to maintain or enhance landscape character; is essential for the

efficient operation of agriculture or forestry; or is essential to the needs of the rural community.

- 9.4 Saved LP Policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1 is compatible with the character of the area and does not have an unacceptable impact on the landscape; the design and materials used relate to the setting; that traffic generated can be accommodated satisfactorily and services and infrastructure can be provided without a serious harmful change to the character and appearance of the area. These are general planning considerations, broadly in line with the NPPF.
- 9.5 As the Local Plan was adopted in 1999 it was not prepared under the Planning & Compulsory Purchase Act 2004. Paragraph 215 of the NPPF states that policies not adopted in accordance with the 2004 Act need to be considered in terms of their degree of consistency with the NPPF “the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given”. Hence where there is any conflict with the local plan the local plan policies carry limited or no weight and the application should be assessed against the new Framework.
- 9.6 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. This guidance reaffirms that it is the Government’s clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, there will be a strong presumption in favour of sustainable development that accords with national planning policies.
- 9.7 One of the objectives of the NPPF is to widen the choice of high quality homes and to significantly boost the supply of housing. Accordingly, the NPPF requires LPA’s to identify and update annually a supply of specific deliverable sites for housing ensuring that there is sufficient to provide for a five year supply against local requirements.
- 9.8 In May 2015 the Council published a Five Year Housing Land Supply Methodology and Report covering the period 1 April 2016 to 31 March 2021. The report sets out the Council’s five year land supply calculations. The report indicates that the Council’s five year requirement (excluding any buffer) is 585 dwellings and the identified supply is 729 dwellings (i.e. an additional 144 dwellings). The Council is also required to provide an additional 20% buffer over and above the 5 year supply, but the report indicates that the Council has more than the five year requirement and can demonstrate 124.6% or 6.23 years, which also more than meets the NPPF requirement for an additional 20% buffer.
- 9.9 To produce the Five Year Housing Land Supply Methodology and Report the Council first had to identify the District’s objectively assessed needs for market and affordable housing. This interim assessment is based on the latest 2012 base household projections from DCLG and has identified that the Council needs to provide an average 117 dwellings per year. Both the Council’s assessment of the housing need for the area, through the updated Strategic Housing Market Assessment (which is currently being prepared), and its ability to provide a 5 year land supply (plus a 20% buffer) to meet this need, will be matters that are considered further through the Local Plan process and it is likely that the annual housing requirements will increase. So whilst the Five Year Housing Land Supply Methodology and Report indicates that the Council can demonstrate a 5 year land supply at this stage, this has not yet been subjected to full independent testing and examination. Officers therefore consider that the existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is however, a material consideration in the planning judgement that can be given weight in the decision making process.

- 9.10 The application site at land off A65 was originally put forward for housing (Ref: HE009), however, at the present time the site has not been taken forward as a preferred site to be brought forward for development in Hellifield. Notwithstanding this, the emerging policy within the Council's Pre-Publication Draft Local Plan can be given very limited weight in the decision making process and the Council's decision on this specific application must be considered on its own merits having regard to the relevant national and Saved Local Plan policies currently in force.
- 9.11 With respect to Saved Policy ENV1, it is recognised that the proposal site is located outside of the boundaries of the development limits that were identified by this policy, and would cover a 0.97 hectares area. Therefore, this cannot be considered small scale and, therefore, the proposal fails to accord with Saved Local Policy ENV1. However, the NPPF presumption in favour of sustainable development means that this policy is now inconsistent with the NPPF. The evidence base for the current development limit date back to 1999 and are clearly out of date as sites outside the limits set in 1999 will be required to meet projected housing needs. Therefore, only limited weight can be given to Saved Policy ENV1 with respect to this development proposal and as such the proposal will be assess against the NPPF.
- 9.12 With respect to the NPPF and the suitability of the site for development in principle, the site is located on the edge of the existing built up area of Hellifield. The settlement has good pedestrian and vehicle connections to local facilities and services. In addition, the village is serviced by some local transport services which connect with neighbouring villages and towns. The site is therefore considered to be a sustainable location for residential development.
- 9.13 The outline proposal shows that the site is suitable for residential use, can achieve a high quality and use land effectively, although it is accepted that the layout is indicative only and that the numbers and mix of house types may be subject to change. As such, it is held that the proposal is in line with the objectives of the NPPF in that the site would provide both economic and social benefits. Furthermore, the proposed development would not be so significant to undermine the emerging spatial vision for the District or wider policy objectives of the new local plan. Therefore, with regard to advice in the NPPF, taken overall the proposal is in principle considered to be capable of forming sustainable development.
- 9.14 Saved Policy ENV2 seeks to ensure that any development acceptable in principle outside the development limits is compatible with the character of the area; the design, materials used relate to the setting, that traffic generated can be accommodated satisfactorily and services and infrastructure can be provided without any serious harm to the character and appearance of the area. These aims are broadly in line with the NPPF, and will be addressed within the body of this report.
- 9.15 In conclusion, the application site is not within recognised development limits of Hellifield, as defined by the 1999 Local Plan, but is located immediately adjacent to the exist built up area of Hellifield. Consequently, in principle, residential development at this location is capable of forming sustainable development in accordance with NPPF guidance and the application falls to be assessed on the merits of the details submitted.
- 9.16 **2. Visual impact of development.**
- 9.17 It should be noted that the external appearance, landscaping, layout and scale elements of the proposal are reserved matters and therefore cannot form part of the assessment of the current proposal.
- 9.18 The NPPF states that LPA's should aim to ensure that developments function well and add to the overall quality of the area, optimising the potential of the site to accommodate development. It also states that development should respond to local

character and history and reflect the identify of local surroundings and materials, while not preventing or discouraging appropriate innovation. It also states that whilst visual appearance and the architecture of individual's buildings are very important a factor, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, LPA's should aim to address the connections between people and places and the integration of new development into the built environment.

- 9.19 Although the proposal is only seeking approval for the principle of development and the access to the site it is reasonable to consider whether or not the visual impact of the proposal is likely to be significantly adverse or constitute grounds why planning permission should not be granted.
- 9.20 The application lies adjacent to the existing built form of Hellifield which in this part of the village is characterised by a mixture of differing periods, styles, and use of materials. The site is enclosed on the northern boundary by Townsons Tractors and Becks Garden Machinery Ltd and a stone wall along the southwest boundary concluding at a group of properties. An un-adopted lane runs north east to south west through the site. Along the eastern boundary is a stone wall. The proposal would keep the southern half of the field, which currently extends towards Beck Lane, free from development. The position of the proposed development on the upper section of the field appears is considered to visually relate directly to the existing built-up area and forms a natural infill of the existing building line. Furthermore, any potential landscaping, once matured, would ensure an attractive and pleasing residential development with limited visual impact.
- 9.21 It is accepted, that when viewed from the PROW the proposal would be clearly visible, however, it would be viewed in the context of the existing edge of the village and thus would not result in any significant harm to the character and appearance of the countryside. Notwithstanding this it is considered that due to the outline nature of the proposal that appropriate conditions can be attached at the reserved matters stage to ensure that the development is acceptable.
- 9.22 **3. Impact of development on the neighbouring properties.**
- 9.23 Within the Core planning principles of the NPPF paragraph 17 it states that the planning system should, amongst other things, "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 9.24 The submitted indicative plan demonstrates that there is adequate spacing within the layout and neighbouring properties and adjacent school to meet acceptable separation standards for privacy and light.
- 9.25 The details of the dwellings and landscaping treatment are reserved for future considerations. However, there is sufficient information submitted to indicate that the amenities of nearby residents would not be adversely affected in terms of overlooking or overshadowing.
- 9.26 A local resident has expressed concern over the potential noise disturbance to future residents of the development due to its close proximity to the commercial premises. However, given the separation distances, combined with existing buildings and trees located adjacent to the boundary with the commercial premises it is not considered that the proposal would result in any significant increase in noise nuisance to future residents of these premises to warrant a refusal.
- 9.27 **4. Impact on highway network.**
- 9.28 Saved Policy T2 is supportive of proposals provided they are appropriately related to the highway network and in particular; do not generate volumes of traffic in excess of the capacity of the highway network; does not lead to the formation of a new access

or greater use of an existing access onto a primary, district or local distributor road unless the access is such that it is acceptable to the Council and its design achieves a high standard of safety; and have full regard to the highway impact on, and potential for improvement to the surrounding landscape.

- 9.29 In this instance the proposal is only seeking outline planning permission and thus it is not possible to comment on a detailed layout. Therefore, the only issues for consideration are whether or not the access can safely accommodate the proposed residential development and whether any increased usage would compromise highway safety.
- 9.30 The proposal would utilise an existing access off Kendal Road. NYCC Highways have been consulted and have raised no objections only specifying appropriate conditions to be attached should the proposal be granted planning permission. Therefore, it is considered that subject to the attachment of appropriate conditions, the site could be developed without detriment to highway safety.
- 9.31 A representation has been made relating to a right of access through the site and a proposed permissive footpath linking Kendal Road to an existing public right of way to the south of the site. However, any matters of right of access or ownership are civil matters and fall outside the scope of a material planning consideration.
- 9.32 **4. Affordable housing provision.**
- 9.33 Craven District Council Interim Approach to Negotiating Affordable Housing (2012) requires affordable housing at 40% provision on sites of 5 dwellings or more.
- 9.34 The proposal is for outline only and whilst submitted details make reference to the provision of affordable housing there are no specified details although the application indicates the provision of 40% affordable housing. Therefore, as the requirements for on-site affordable housing provision cannot be firmly established at this stage it would therefore be appropriate to address this issue by condition.
- 9.35 **5. Open space**
- 9.36 The NPPF, section 8 seeks to promote healthy communities and in particular paragraph 73 which advises the access to high quality open spaces for sport and recreation can make an important contribution to the health and well-being of communities.
- 9.37 Saved Policy SRC2 requires development for 10 dwellings or more to make a contribution to public open space. It has been agreed between the Councils Sport Development Officer and the applicants that the proposal would provide a village green and also a significant contribution to upgrade existing sports and recreation facilities in the village. A condition is therefore recommended requiring the reserved matters application to clarify the open space requirements.
- 9.38 **6. Drainage**
- 9.39 Local residents have expressed concerns about the ability of the site to be drained both with respect to surface water and foul drainage although the site is not identified as being within flood plain or an area of flood risk.
- 9.40 Although the submitted details state that foul water will be disposed via the main sewer no further details have been forthcoming. As such it is recommended that an appropriate condition can be attached to resolve in detail this issue as part of a reserved matters application.
- 9.41 From 6th April 2015 decisions on planning proposals relating to major development are required to ensure that sustainable drainage systems (SUDs) are used for the management of surface water. Although, the application form indicates that surface water is to be disposed of to the main sewage system, it is presumed that following

the changes to policy this is unlikely to be considered acceptable. As such it is recommended that an appropriate condition can be attached to resolve in detail this issue as part of a reserved matters application.

9.42 **7. Other issues.**

9.43 Comments received from the Local Parish concerning the reason for submitting an application are not a material planning matter.

9.44 Whilst acknowledging comments expressing concern over the growth of the village it is the officers opinion that a proposal of this scale would not significantly impact on the village to warrant a refusal.

9.45 Concern has been expressed over the potential contamination of the site. However, the Council's Contamination Officer has been consulted and has not identified any contamination issues with this site.

9.46 With regard to comments over the potential loss of trees adjacent to the School, these trees are outside of the application site and therefore do not form part of this proposal under consideration.

9.47 Third party representation has expressed concern that if the proposal is approved that this would set a precedent for further development. However, each proposal is considered on its own merits with regard to the site constraints and as such the proposal would not set a precedent for further development.

9.48 Concerns over the stability of the garage located within the residential curtilage of Beck House is not a material planning consideration of this proposal as it is located outside of the application site.

9.49 With regards to any potential impact on protected species the application site is located outside of any designated SSSI and therefore would not have a negative impact on any protected species.

9.50 **Conclusion;**

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

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

9.52 In this case the relevant Local Plan policies are out of date and therefore the policy within Paragraph 14 of the NPPF is applicable. The benefits of the development include boosting the supply of housing and the economic developments that this can bring. Boosting the supply of housing remains an important planning consideration, but this also needs to be weighed against the publication of the Council's latest 5 Year Housing Supply Report (May 2015) that indicates the Council can now demonstrate a 5 year housing supply and buffer. The provision of affordable housing and open space are further benefits of the scheme.

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

10. Recommendation

10.1 To grant outline permission subject to the following conditions.

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.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

2. The approved plans comprise drawings titled Site Plan received by the Local Planning Authority on the 29th May 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.

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

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.

Reason: In the interest of visual amenity.

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

The scheme shall include:

- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made in the development shall be, in matters of tenure and type, in accordance with the findings of the North Yorkshire Strategic Housing Market Assessment 2011 or any replacement thereof;
- (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;
- (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.

Reason: To make provision for affordable housing in accordance with the requirements of the National Planning Policy Framework, the Council’s adopted ‘Interim Approach to Negotiating Affordable Housing Provision’, and the 2011 North

Yorkshire Strategic Housing Market Assessment (SHMA) that provides evidence of the high need for affordable housing within Craven District.

5. No development shall take place until either:-

(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 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. The open space shall thereafter be provided, and maintained as such in accordance with the details so approved.

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

Reason: In the interests of residential amenity to ensure adequate provision of Public Open Space to meet local needs in accordance with the National Planning Policy Framework and Saved Policy SRC2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

6. All external windows and doors shall be set into reveals of at least 100mm deep from the external face of the walls.

Reason: To ensure the development is of good appearance in the interest of visual amenity.

7. No barge boards, fascia boards or soffit boards shall be used in the development hereby approved.

Reason: To ensure the development is of good appearance in the interests of visual amenity.

8. 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.

Reason: To ensure the development is of good appearance in the interests of visual amenity.

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

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

- all types of surfacing (including tactiles), kerbing and edging.
- b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - the existing ground level the proposed road channel and centre line levels
 - full details of surface water drainage proposals.
- c. Full highway construction details including:
 - typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - kerb and edging construction details
 - typical drainage construction details.
- d. Details of the method and means of surface water disposal.
- e. Details of all proposed street lighting.
- f. Drawings for the proposed new roads and
- g. Full working drawings for any structures which affect or form part of the highway network.
- h. A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

Informative: In imposing condition number 9 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.

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

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

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

- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access(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.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 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.
- Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

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

12. There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 20 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number A2 and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

Informative: You are advised that a separate licence will be required from the Local 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.

13. There shall be no access or egress by any vehicles between the highway or proposed highway (estate road) and the proposed vehicular access (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and

the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

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

14. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

15. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, any garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

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

16. 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.

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

17. All doors and windows on elevations of the building(s) adjacent to the existing and/or proposed highway shall be constructed and installed such that from the level of the adjacent highway for a height of 2.4 metres they do not open over the public highway and above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway. Any future replacement doors and windows shall also comply with this requirement.

Reason: To protect pedestrians and other highway users.

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

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

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

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

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

19. Prior to the commencement of development, full details of a surface water drainage scheme based on SuDS principles shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include interceptors demonstrating the management of overland flows within the site from off-site sources; details of any surcharging volumes and flows rates and appropriate mitigation measures; and, details of how the scheme shall be maintained and managed after completion. Thereafter, the scheme will be implemented in accordance with the approved details unless otherwise agreed in writing.

Reason: The information is required prior to the commencement of development to ensure that surface water from the site is disposed of in a safe and appropriate manner in order to protect the water quality and prevent pollution in accordance with paragraphs 109 and 120 of the National Planning Policy Framework.

20. No development shall take place until details of a scheme for the disposal of sewage, including an implementation plan, have been submitted to and approved in writing by the local planning authority and thereafter the scheme shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory drainage of the development as insufficient information has been submitted.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority wish to control any future development on the site to ensure the amenity of future residents of the dwellings.

Informative

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.

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.

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.

The applicant should contact United Utilities Sewer Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

Statement of Positive Engagement: -

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

- engaged in pre-application discussions

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

*WEST CRAVEN
17/2015/15883*

*INSTALLATION OF 16 SOLAR PV PANELS TO SOUTH, EAST AND WEST
ROOF PITCHES*

15 CHAPEL HOUSE MEWS, CARLETON.

APPLICANT NAME: MRS CAROL STOCKS

TARGET DECISION DATE: 30/07/2015

CASE OFFICER: Andrea Muscroft

This application has been referred to Planning Committee at the request of Councillor Mason as the application is of wider public interest.

1. Site Description

1.1 The application site is a modern dwelling house in the northwestern corner of the Carleton Mill redevelopment. The rear garden area is enclosed by a low level stone wall which backs on to No. 7 Book View, No. 5 West View, 16 & 17 Chapel House Mews.

1.2 The application site is within the development limits and conservation area of Carleton.

2. Proposal

2.1 The proposal is seeking permission for the installation of 16 solar pv panels to the south, east and west roof pitches.

2.2 The panels would measure approximately 1m x 1.7m with a depth of 40mm and would have a combined width of 5m to both the east and west roof slopes and 6m to the south roof slope.

3. Planning History

3.1 Planning permission was granted to develop this estate and convert the adjacent mill in July of 2001 (under approval 17/2000/781). PD rights were removed by condition

4. Planning Policy Background

4.1 The National Planning Policy Framework – NPPF.

4.2 Planning Practice Guidance – PPG.

4.3 Saved Policy H20 of the Craven District (outside the Yorkshire Dales National Park) Local Plan.

5. Parish/Town Council Comments

5.1 Carleton Parish Council: Object to the solar panels to the single storey south facing roof pitch due to their prominent position in the conservation area. These panels would appear visibly obtrusive and detrimental of neighbouring properties and from the road adjacent to the main mill building. Finally, if sixteen panels must be installed, then the panels proposed to the south roof pitched could be repositioned to the east and west facing roof pitches or the proposal could be amended to only five solar panels each to the east and west facing roof pitches of the main dwelling.

6. Consultations

6.1 None necessary.

7. Representations

- 7.1 Two letters of objection has been received raising the following issues:
- 7.2 No issue with the proposed solar panels on the east or west roof slopes, however, I do have concerns over the visual impact of the panels on the conservation area situated on the garage roof. In addition, the plans appear to be inaccurate.

8. Summary of Principal Planning Issues

- 8.1 Visual impact of the solar panels on the surrounding conservation area.

9. Analysis

- 9.1 The Council has no specific policies relating to renewable energy as policies UT17 (Renewable Energy General Policy) and UT19 (Energy Conservation Policy) was not saved. As a consequence the proposal will be assessed against the NPPF.
- 9.2 The Government attaches great importance to the design of the built environment a statement continued within both the NPPF and the PPG. These documents state that good design is a key aspect of sustainable development, and is indivisible from good planning, making a positive contribution to making places better for people.
- 9.3 In addition, within the core planning principles the NPPF advises planning should support the transition to a low carbon future in a changing climate through the encouragement of the use of renewable resources. Paragraph 98 also states that LPA should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emission.
- 9.4 Also of relevance is Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.5 The proposal is seeking to install 16 solar panels on the south, west and east roof slopes of the dwelling and garage. Within the surrounding area it was noted that on the roof slope of No. 10 a number of solar panels had been fitted as such this type of proposal would not appear incongruous.
- 9.6 It is acknowledged that the site lies within the designated conservation area of Carleton. However, due to the constraints of the site, public views of the panels would be restricted to those from nearby dwellings with wider views being restricted by adjacent dwellings. Furthermore, given the width and height of the roof slopes the proposed solar panels would represent a subservient addition to the roof slopes.
- 9.7 As such any potential harm to the conservation area are outweighed by the public benefit of mitigating the effects of climate change.

10. Recommendation

- 10.1 To recommend approval subject to the following conditions.

Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.
- 2 The approved plan 15883 (annotated by case officer for clarification) and specification sheet from "Phono Solar" received by the Local Planning Authority on 24th June 2015. The development shall be completed in accordance with the approved specification sheet except where conditions attached to this planning permission indicate otherwise

or where alternative details have been subsequently approved following an application for a non-material amendment.

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

3. The photo-voltaic cells and ancillary equipment shall be removed and the roof restored to its previous use within 3 months of the date when the cells cease to be operational.

Reason: To safeguard the character and appearance of the conservation area should the environmental benefits of the development cease to be available.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF.

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

*SETTLE & RIBBLE
48/2015/15897*

*CHANGE OF USE FOR REDEVELOPMENT OF HOLIDAY PARK (RE-
SUBMISSION OF REFUSED APPLICATION 48/2014/15278)*

LANGCLIFFE CARAVAN PARK, LANGCLIFFE.

APPLICANT NAME: LANGCLIFFE PARK

TARGET DECISION DATE: 09/09/2015

CASE OFFICER: Gemma Kennedy

This application is referred to Planning Committee as it is an amendment to a scheme previously refused by Planning Committee.

1. Site Description

- 1.1 Langcliffe Caravan Park is a site for static and touring holiday caravans and camping, and currently operates with 65 holiday static caravan pitches, 41 seasonal touring pitches and 71 overnight touring and tenting pitches. The site also contains a reception office, laundry, two toilet and shower blocks, a children's play area, and waste/recycling facilities.
- 1.2 The site is located approximately 110 m west of Langcliffe village, and 400 m to the southeast of the hamlet of Stackhouse. To the north west of the site, across a reservoir is the Holme Head residential area, which consists of a group of mostly terraced properties.
- 1.3 Within the site itself is a Grade II Listed property 'Langcliffe Place', which has been converted into flats now privately owned, with the caravan park retaining a small part of the western side of the building for office space. Close to the centre of the park is a privately owned dwelling, 'The Bungalow'. To the south of the site is 'John Roberts Paper Mill', an established industrial site. The caravan park is accessed by a private road from the south, which also serves the Mill and a handful of dwellings.
- 1.4 The application site is located outside any settlement development limits and therefore lies within open countryside, as designated in the Craven District (Outside the Yorkshire Dales National Park) Local Plan. The eastern edge of the site is bounded by the Settle-Carlisle railway, which is designated as a Conservation area. Beyond, to the east, the village of Langcliffe also lies within a Conservation area.
- 1.5 The application site and immediate surroundings are situated within a horseshoe shape area of land that is surrounded, to the north, east and west, by the Yorkshire Dales National Park. The application site is within an area designated as "Settled Valley" in the Craven District (Outside the Yorkshire Dales National Park) Landscape Appraisal.

2. Proposal

- 2.1 The area to the north of the Listed 'Langcliffe Place' is currently used for touring caravans. The proposal is to site 32 No. static caravans in this location to replace the touring caravan use. Additionally a further 19 no. static caravans are to be sited in an area further to the north of the aforementioned touring area, within an area that has an existing approval to be used for up to 25 tents. These parts of the application proposal also involve the creation of new roads around the sites, parking spaces adjacent to the new static caravan pitches. Following receipt of amended plans the existing access road through the side the existing touring and camping area to the

east is to be retained, as is a toilet block and refuse area. A further toilet block, currently serving the camping area at the northern end of the site, is to be removed.

2.2 The application previously refused at Planning Committee was for 8 further static caravans on the current touring caravan area, and also for an extension of the caravan park into a field to the south east of the main site.

2.3 The application has been submitted with the following documents;

- Design and Access Statement (including a Heritage Statement)
- Planning Statement
- Flood Risk Assessment and Drainage Statement
- Landscape and Visual Appraisal
- Ecological Assessment

3. Planning History

3.1 In 1975, planning permission was granted on appeal for extension of the caravan site to accommodate 40 touring caravan pitches on a seasonal basis (application SE 3452).

3.2 48/2000/0543 – Provision of additional pitches for caravans/motor vans and provision of pitches for tents on existing touring caravan site. Approved 11/10/2000

3.3 18/2000/0655 - New toilet and shower block for existing caravan park. Approved 11/10/2000

3.4 48/2003/3354 - Storage of touring caravans on existing caravan park from 1st November to 28th/29th February each year, and provision of 4 no. static caravan pitches. Refused 11/11/2003

3.5 48/2004/4625 - Variation of condition no. 6 (ii) on application no. SE3452 to extend the opening season to 11 months. Approved 28/09/2004

3.6 48/2004/4877 - Alterations to redundant toilet block to provide new offices / reception area for caravan park, first floor extension to provide new flat, renovations / alterations to 4 existing flats, and resiting of existing static caravan to allow provision of improved car parking facilities. Approved 15/04/2005.

3.7 48/2004/4878 – Listed building application for alterations to redundant toilet block to provide new offices / reception area for caravan park, first floor extension to provide new flat, and renovations / alterations to 4 existing flats (Listed Building Consent). Approved 15/04/2005.

3.8 48/2005/5009 – Erection of 6 timber chalets. Approved 15/04/2005.

3.9 48/2007/7351 - Change of land use to allow reorganisation of Caravan Park boundary to reduce caravan density, incorporating creation of 4 pitches for holiday lodges within the existing site and full landscaping scheme (no net increase in number of caravan pitches). Approved 12/06/2007.

3.10 48/2007/7810 - Application to amend the landscaping scheme pursuant to condition 3 of planning application Ref: 48/2007/7351 (Extension of caravan park and creation of 4 pitches for holiday lodges within the existing site). Approved 20/11/2007.

3.11 48/2008/8656 - Retrospective application for children's play equipment. Approved 17/07/2008.

3.12 48/2009/9433 - Change Of Use of land to create 25 Caravan/tenting pitches extending the present touring/camping field. Refused 01/04/2009.

- 3.13 48/2009/9699 - Removal of condition 7 of approval 48/2005/5009 Erection of 6 Timber Chalets. Approved 07/08/2009.
- 3.14 48/2009/10045 - Change of Use of agricultural land to use as ancillary amenity space in association with existing caravan site. Approved 24/12/2009
- 3.15 48/2010/11157 - Variation of condition 6 (ii) on application no SE3452 and condition 7 on application 48/2007/7351 to allow year round holiday use of the caravan site. Approved 25/01/2011
- 3.16 48/2011/11344 - Resubmission of application 48/2010/11091- Change of use of 4 existing touring sites to static caravan sites. Approved 22/03/2011
- 3.17 48/2011/11730 - Proposed change of use of land to tenting area including associated facilities building. Approved 08/08/2011
- 3.18 48/2011/12024 - Discharge of conditions 4, 5, 6, 7 & 8 to previous approval 48/2011/11730. Approved 12/10/2011
- 3.19 48/2012/13139 - Change of use of amenity space to create additional tenting area. Approved 17/01/2013.
- 3.20 48/2013/13319 - Discharge of condition 5 & 6 to previous approval 48/2012/13139. Approved 05/03/2013
- 3.21 48/2013/13676 - Proposed New Wash And Sanitary Facilities Building. Approved 14/08/2013
- 3.22 48/2013/13890 - Discharge of condition 4 to previous application 48/2013/13676 - New Wash And Sanitary Facilities Building. Approved 23/09/2013.
- 3.23 48/2014/15278 – Change of use for redevelopment and extension of holiday park. Refused 21/04/2015.
- 4. Planning Policy Background
- 4.1 Saved Policies ENV1, ENV2, EMP16, EMP17, EMP18 and EMP19 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.
- 4.2 The National Planning Policy Framework (NPPF)
- 4.3 National Planning Practice Guidance (NPPG)
- 4.4 Craven District outside the Yorkshire Dales National Park and Forest of Bowland Landscape Appraisal (2002)
- 4.5 Langcliffe: Conservation Area Appraisals in the Yorkshire Dales National Park (2010)
- 4.6 Settle-Carlisle Railway: Conservation Area Appraisals in the Yorkshire Dales National Park (2010)
- 5. Parish/Town Council Comments
- 5.1 Langcliffe Parish Council: None received
- 5.2 Giggleswick Parish Council: None received
- 6. Consultations
- 6.1 CDC Environmental Protection: “There is an established industrial site (John Roberts Paper Mill) within 100 metres of the proposed location of the tourer and camping plot that is known to operate from 06:00. Introducing a receptor in the proposed location may result in noise from the mill affecting users of this part of the caravan park. Furthermore, Environmental health are currently investigating a potential nuisance at the park with regard to noise emanating from the adjoining mill.” Received 23/06/2015.

- 6.2 CDC Contaminated Land: “No known contaminated land implications.” Received 23/06/2015.
- 6.3 CDC Tree Officer: None received
- 6.4 Environment Agency: “As we are no longer a statutory consultee for developments in flood zone 1 which are over 1 hectare, we have no comments on this development. You should consult your drainage department and the lead local flood authority for their comments on this development.” Received 24/06/2015.
- 6.5 Network Rail: “No comments to make as the proposal boundary is 14m from the railway boundary.” Received 23/06/2015.
- 6.6 NYCC Highways Authority: Recommends a condition requiring one parking space per unit being available for use at all time is attached to any permission granted. Received 29/06/2015.
- 6.7 Yorkshire Dales National Park: None received
- 6.8 Friends of Settle-Carlisle Line: None received
- 6.9 Settle Carlisle Railway Trust: None received
- 6.10 NYCC SUDs: Reply awaited (consulted 11,8.15)

7. Representations

- 7.1 Representations have been received from the occupants of 4 neighbouring properties, raising the following matters;
 - Owner has a chequered history of submitting numerous applications which have all been problematic to residents of the Holme Head hamlet by extending the caravan park closer to us.
 - The extension (the pasture?) has always been the most problematic, and in our opinion should never have been originally approved.
 - We wish to draw your attention to various regulations in both national and local plans which the proposer has to comply with.
 - We are flabbergasted that the proposer seems to have little or no cognisance of two features which on the maps are clearly part of the environment of the caravan park; the mill pond, and the hamlet of Holme Head. Mill Pond is of historic value and is within 20 metres of site and in an increasingly fragile state – is the applicant responsible for the state of the bank, does he take appropriate preventative action? Hamlet at Holme Head is a fine example of industrial archaeology. We have no evidence applicant has ever tried to contact us or other residents for our view.
 - Landscape and Visual Appraisal includes photos but of vegetation in full growth – not in winter.
 - What about noise nuisance? Deciduous trees don't form a barrier to noise.
 - Wear and tear to cobbled yard between Holme Head Cottages and to Mill Pond from caravan visitors.
 - Size of park is not in keeping with the character of the surrounding area.
 - Site is not utilised to the extent the applicant claims and there is no demand by visitors to increase the capacity.
 - ‘The Pasture’ lies considerably higher than the dwellings at Holmehead and therefore overlooks the properties.

- Holiday park is served by a single track road with no footpath which is already very busy with cars, caravans and HGVs
- It will be many years before proposed trees have the desired effect and will only be in leaf for a relatively short period each year.
- Planning statement states additional 59 pitches, amended plan shows 50 pitches.
- Due to number of errors and omissions with this planning application, it is far from clear what is proposed and we request that planning permission is refused.

8. Summary of Principal Planning Issues

8.1 The principle of development; visual impact; neighbouring amenities; sustainable urban drainage; biodiversity.

9. Analysis

Policy background;

- 9.1 The application site lies outside development limits, and therefore falls to be assessed under Saved Local Plan Policies ENV1 and ENV2. Saved Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development by restricting development to small scale proposals appropriate for the enjoyment of the scenic qualities of the open countryside and other appropriate small-scale development having a rural character. Where this is the case, development must also clearly benefit the rural economy; help to maintain or enhance landscape character; be essential for the efficient operation of agriculture or forestry; or be essential to the needs of the rural community.
- 9.2 Where development is acceptable in principle under Saved Policy ENV1, it must also comply with Saved Policy ENV2, which sets out criteria relating to design, materials and traffic (amongst other things).
- 9.3 The other Saved Local Plan Policies applicable to this application are EMP16 'Static caravans and chalets,' EMP17 'Camping and touring caravan sites,' EMP18 'Permanent buildings on camping, caravanning and chalet developments' and EMP19 'Occupancy conditions.' These policies are generally supportive of caravan site developments subject to certain criteria being met relating to landscape impacts, screening and landscaping, neighbouring amenity and highways (amongst other things).
- 9.4 The Craven District (Outside the Yorkshire Dales National Park) Local Plan was adopted in 1999, and it was therefore not prepared under the Planning & Compulsory Purchase Act 2004. Paragraph 215 of the National Planning Policy Framework (NPPF) states that policies not adopted in accordance with the 2004 Act need to be considered in terms of their degree of consistency with the NPPF "the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given". As such, where there is any conflict with the local plan, the local plan policies carry limited or no weight and the application should be assessed against the new Framework.
- 9.5 Paragraph 14 of the NPPF sets out that at its heart is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. It goes on to state that for decision-making this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF

as a whole, or, specific policies in the NPPF indicate development should be restricted.

- 9.6 With regards to Saved Policy ENV1, this policy places significant importance on the presence of development limits. As the development limits were defined in 1999 (and have not been reconsidered or altered since), this aspect of policy ENV1 is out of date, and the development limit boundaries that were defined in relation to this policy no longer carry any weight in the decision making process. However, Policy ENV1 also has an objective of seeking to protect the scenic qualities of the open countryside and preventing harm to landscape character. The policy does not conflict in this respect with the NPPF that includes similar aims and objectives and therefore the policy has some limited weight.
- 9.7 Saved Policy ENV2, whilst linked to Saved Policy ENV1, sets out general planning considerations for development in the open countryside, which are considered to be broadly in line with the NPPF. This policy therefore carries some weight in the decision making process.
- 9.8 With reference to Saved Policies EMP16, EMP17 and EMP18 these policies relating to camping and caravanning development are considered to be in line with the NPPF in terms of supporting such development, subject to harm not being unacceptable. These policies therefore carry weight in the decision making process.
- 9.9 With regards to Saved Policy EMP19, this refers to occupancy conditions that restricts the occupation of static caravans and chalets to occupation by the same person or group of persons to not more than 60 days in any 3 month period. This policy was adopted in 1999, is considered to be out of date, and carry no weight in the decision making process. In 2006 DCLG document 'Good Practice Guide on Planning on Tourism' (which is now out of date itself, but nevertheless provides the most up-to-date recommendations) suggests a different recommended condition to ensure holiday occupancy use only which Craven District Council decisions have used on similar developments in recent years.
- 9.10 The criteria within the applicable Saved Local Plan Policies, and the NPPF, will be considered in further detail in the following sections of the report.

Principle of development;

- 9.11 The application site is located in the open countryside, and therefore falls to be assessed under Saved Local Plan Policy ENV1. Saved Local Plan Policy ENV1 is not considered to preclude such development so long as the scenic qualities and landscape character of rural areas are not unacceptably impacted upon. Saved Policies EMP16, EMP17 and EMP18 support the principle of the development of caravan and camping sites in the open countryside in Craven, subject to certain criteria being met.
- 9.12 Saved Policies EMP16 and EMP17 require the site to be located in an area with local opportunities for informal countryside recreation, but should not itself be detrimental to those attractions. The site is located on the edge of a village, in an open countryside location. There is a large network of public rights of ways in the immediate locality, and the site is on the edge of the Yorkshire Dales National Parks.
- 9.13 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. There are three dimensions to sustainable development; economic (supporting a strong and competitive economy), social (supporting strong, vibrant and healthy communities with regards to housing, health, social and cultural well-being) and environmental (protecting and enhancing the natural, built and historic environment).

- 9.14 Section 3 of the NPPF sets out that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should support sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
- 9.15 In conclusion the development proposal is acceptable in principle. In particular the development accords with the economic dimension of sustainable development, as set out in the NPPF. The proposal would allow an existing established caravan site to grow and improve, and in turn support a strong rural economy locally, both through providing employment, and supporting local services and tourist attractions.
- 9.16 Whilst the proposal is considered to be acceptable in terms of the economic dimension of sustainable development, it must also meet the social and environmental dimensions as set out in the NPPF, which will be considered in the following sections of this report.

Visual impact;

- 9.17 The application seeks planning approval for the redevelopment of the existing seasonal touring and camping area for use for static caravans.
- 9.18 Saved Local Plan Policies ENV1, EMP16, EMP17 and EMP18 require that new development does not have an adverse effect on the character and appearance of the countryside, with the scale of development being in context with its surroundings. Saved Policy EMP17 requires that the scale of development should relate sensitively to its surroundings, and EMP16 and EMP18 require that development is of a good standard of design, satisfactorily blending into the landscape in terms of their siting, design and materials.
- 9.19 Saved Local Plan Policy ENV2 sets out requirements for development in the open countryside. Proposals should be compatible with the character of the surrounding area, not have an unacceptable impact on the landscape and safeguard landscape features, and the design of buildings and structures and the materials proposed should relate to the setting, taking account of the immediate impact and public views of the development.
- 9.20 These objectives are supported by the NPPF, which defines the Environmental dimension of sustainable development as “contributing to protecting and enhancing our natural, built and historic environment” amongst other things. Furthermore, one of the core principles of the NPPF is recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- 9.21 It should also be noted that the site is in close proximity to the Yorkshire Dales National Park. Paragraph 115 of the NPPF sets out that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and AONBs, which have the highest status of protection in relation to landscape and scenic beauty.
- 9.22 The Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal designates the application site as falling within ‘Settled valley – river valley.’ The character of this designation is said to be moderate to weak, with the condition declining. Evidence of some decline in the landscape fabric is stated to arising from the influence of the road/rail transport links, and the combination of built development, and caravan park facilities. It is pointed out that there is an existing small static and touring caravan site within the area (which is understood to

be the application site, in 2002). It is recognised that the proximity to the Yorkshire Dales National Park and Settle may create pressures for further tourism and recreation developments in the area, and as such the area is sensitive to change. Landscapes along road/rail transport corridors may be particularly vulnerable to change.

- 9.23 Another strand of visual impact to consider is in relation to Heritage Assets. The site lies in proximity to the Settle-Carlisle Conservation area and in proximity to the Langcliffe Conservation area. There is also a Listed Building (Langcliffe Place) within the application site. Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.24 One of the core principles of the NPPF is for planning to conserve heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contributions to the quality of life of this and future generations.
- 9.25 Paragraph 131 of the NPPF sets out that in determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.26 Paragraph 132 of the NPPF goes on to set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 9.27 Paragraph 133 of the NPPF states that where a proposed development will lead to "substantial harm" to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In cases where development leads to "less than substantial harm" to the significance of a heritage asset paragraph 134 explains that the harm caused should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.28 Conservation area appraisals have been undertaken, by the Yorkshire Dales National Park, for both of the Conservation areas adjacent to the site. The Settle-Carlisle Conservation Area Appraisal sets out that due to its confinement to a mostly linear space, the Settle-Carlisle Railway Conservation area simply cannot be experienced without its wider natural surroundings. The Appraisal also states that; "The opportunities that the line affords to experience the landscape dynamically as a sequence of unfolding scenery and imposing views, is fundamental to its identity. The landscape plays a significant part of the character of this Conservation area, not only due to the drama and variety it provides, but also the scarcity of man-made structures."
- 9.29 The Langcliffe Conservation Area Appraisal describes its overall character as rural due to its natural setting and vernacular stone-built architecture, displaying an organically-grown informal plan form. The village of Langcliffe lies on a natural terrace on the eastern side of the Ribble Valley. Topographical features that restricted its expansion include down slopes to the south and west (so in the direction of the application site). Finally, the Conservation Area Appraisal identifies three key

views out of the village, one of which is in the direction of the extended site. It sets out that “the B4679 offers a splendid 360-degree panorama towards Langcliffe Place and the western slopes of the Ribble Valley. Despite the industrial character of the mill, much of it is ‘swallowed’ by the surrounding trees and hills behind, creating an idyllic scenery when seen from that distance. Moreover, the Settle-Carlisle railway, a Conservation area in its own right, is not noticeable from here, although it is very close.”

- 9.30 The central part of the site to be redeveloped is currently used for touring caravans, but is already flanked to the west by a row of 11 static caravans, with four further units located to the east. To the north of this central section is the camping area. An application was originally made to change the use of this northern section to a camping area in 2009 (48/2009/9433), which was refused due to the lack of vegetation screening in place; it was considered that development would be unsympathetic to the landscape quality of the open countryside as a result. Later two planning applications were submitted (one in 2011 and one in 2012) to change the use of this section of land to camping; first the eastern side (48/2011/11730) and then the western side (2012/13139). Both applications were approved, with the case officer recognising that landscaping had become more established, reducing views of the extended site from the adjoining countryside. A condition of planning approval restricted the use of this section of the site outside the dates of 1st March to 30th September.
- 9.31 Saved Policy EMP16 requires that sites for static caravans and chalets should be well screened by landforms and/or existing landscaping from roads, elevated viewpoints and other public places, and that development will not have an adverse effect on the character and appearance of the countryside. The scale of development should be in context with its surroundings, and the site should be of a high standard of layout, design and landscaping with the caravans and chalets satisfactorily blending into the landscape in terms of their siting, colour and materials.
- 9.32 The central part of the site is surrounded by existing development. To the west is the aforementioned row of static caravans with a 15m deep banking of mature trees providing well established screening, and a backdrop to this part of the site. To the south is ‘Langcliffe Place’ a Grade II Listed building converted to flats. This Listed building is already surrounded by static caravans and touring caravans on all sides, and any setting it originally had has been long since lost with the development of the caravan site. It is considered that the change of use of the central touring section of the site to the siting of static caravans would not result in any further harm to this Listed Building or its setting. To the east of the central section of the site, in addition to the aforementioned 4 static caravans there is a large area currently used for motor homes and touring caravans. The central position of this section of the site, its low lying nature, in addition to existing landscaping in place on the periphery of the site, is such that the change of use to permanent static caravans is not envisaged to have a harmful impact upon the character and appearance of the open countryside or adjacent heritage assets. A planning condition could ensure that the static caravans are of an appropriate colour to help them blend more successfully into the site. This element of the proposal is therefore considered to accord with Saved Policy EMP16 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.
- 9.33 The northern section of the site, currently used for camping, was permitted in recognition of the presence of existing landscaping, but subject to a condition limiting camping outside the dates of 1st March to 30th September. The reason for this condition being, ‘in the interests of visual amenity.’ In the 2/3 years between an application being refused on this site due to inadequate screening (2009) and two applications being approved (2011 and 2012) the landscaping had established to such an extent that this was no longer a reason for refusal. In the intervening two and a

half years the landscaping has established further still. It is recognised that in the winter months the landscaping, which is deciduous, will still not provide the same level of screening as in the summer months. However, the landscaping has nevertheless matured further in the interim (and will continue to do so), and even leafless trees will still provide a reasonable level of screening from public views to the north, east and west. Furthermore, with static caravans being permanent structures a planning condition could control their colour, to ensure they blend into their setting as far as possible. The previous use of the site for tents did not allow such a control, with a mixture of different sizes and colours of tents being on display.

- 9.34 With respect to Saved Local Plan policy, the northern section of the site is considered to comply with the aims and objectives of Saved Local Plan Policy EMP16, which requires that sites for static caravans be well screened by landforms and/or existing landscaping from roads, elevated viewpoints and other public places. With respect to policy within the NPPF, the proposed development on the existing developed site will cause some very limited harm to the character and appearance of the Langcliffe Conservation area, but the harm caused is certainly less than substantial. In such cases the harm caused has to be weighed against the public benefits of the proposal (the weighing of these matters is undertaken in the conclusion at the end of this report).

Neighbour amenity;

- 9.35 Saved Local Plan policies EMP16 and EMP17 state that development must not have an unacceptable impact on the character or setting of settlements or the amenity of local residents.
- 9.36 One of the core planning principles of the NPPF is to secure high quality design and a good standard of amenity for all existing and future occupants. Section 7 of the NPPF goes on to state that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 9.37 Four letters of representation have been received objecting to the application, with a variety of points made in relation to residential amenity.
- 9.38 The redevelopment of the existing seasonal touring area for static caravans takes place at the central and northern parts of the site. The closest properties to this area of the site are the terraces of dwellings at Holmehead located 55m to the north west beyond a reservoir (former mill pond). The part of the site these properties are closest to is the tenting area, which when approved was given a temporary consent for its use to cease on or before 17th January 2016 in order to monitor the effect on neighbouring amenity. Consultation with CDC Environmental protection has not outlined that any complaints have been made regarding this section of the site. Representations received from two residents on Holmehead relate to noise nuisance and overlooking. Although used throughout the year (rather than seasonally as with tents), static caravans are better insulated than tents, and as such it is envisaged that any noise would be reduced. The landscaping in place, although reducing in coverage during the winter months, along with the space separation between the application site and properties on Holmehead, will prevent any harmful overlooking. As such, Officers are satisfied that the proposed change of use of this part of the site would not result in any loss of amenity to neighbours beyond the existing use, and the proposal is acceptable.
- 9.39 With regards to the middle part of the site the proposal will move the static units closer to the apartments at Langcliffe Place than the touring pitches presently are. However, they would be no closer than existing static caravans, and therefore the proposal is

considered to be acceptable in relation to these properties. In consideration of neighbouring property 'The Bungalow', which shares three boundaries with the caravan site, whilst the proposal will replace touring caravans with the more permanent static caravans, it will not move accommodation any closer to this property than the existing pitches and as such would not introduce any increased loss of amenity to the residents of this property.

- 9.40 Neighbours have also raised the presence of a Mill Pond (reservoir), and consider it is in a fragile state of repair. This falls outside the application site, and is separated by screening along the boundary. Any grant of planning permission can draw the applicant's attention to consideration of the Mill Pond, but falling outside the application site this is a private legal matter between the land owner and owner of the Mill Pond. Neighbours have also raised a matter that the site is not utilised to the extent that the applicant claims, and that there is no demand by visitors to increase the capacity. However, the application will reduce the total number of pitches from 66 (tents and tourers) to 51 (statics) resulting in an overall reduction of 15 pitches.
- 9.41 **Other issues;**
- 9.42 In consideration of highway safety, Saved Local Plan Policies EMP16 and EMP17 require that the site has good access to the road network and that the traffic generated by the proposal can be satisfactorily accommodated on the local highway network. NYCC Highways Authority has been consulted on the application, and has raised no objections on highway safety grounds.
- 9.43 Paragraph 109 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. An Ecological Assessment has been submitted with the application which raises no concerns related to protected species but does make recommendations in order to provide biodiversity enhancement, and to limit the impact on any bats that may forest or roost in trees on the site.
- 9.44 CDC Environmental Protection has advised that objections may occur from the extended camping/touring site to the John Robert's Paper Mill which is 150 metres to the south of the part of the site to be developed, and is known to operate from 6am. Environmental Protection is currently investigating a potential nuisance at the park emanating from the Mill. The new static caravans would be further from the Mill than the existing static caravans at the southern end of the site, and therefore it not considered that a potential conflict of this nature would warrant a refusal of planning permission.
- Conclusion;**
- 9.45 Paragraph 14 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- 9.46 In this case the relevant Local Plan policies are out of date and therefore the policy within Paragraph 14 of the NPPF is applicable. The development should therefore be permitted unless the adverse impacts of doing so would outweigh the benefits.

- 9.47 In addition to the test at Paragraph 14, consideration also needs to be given to Paragraph 134 of the NPPF that explains that the harm caused to heritage assets by the development proposal should be weighed against its public benefits.
- 9.48 The benefits of the development principally relate to meeting the NPPF's objectives of supporting economic growth in rural areas. The proposal would allow an existing established caravan site to grow and improve, and in turn support a strong rural economy locally, both through providing employment, and supporting local services and tourist attractions.
- 9.49 The adverse impacts essentially relate to the potential views of the static caravans during winter months when the landscaping is not in leaf.
- 9.50 Officer consider any adverse impacts would not significantly and demonstrably outweigh the benefits of granting planning permission and the proposal is considered to accord with Paragraphs 14 and 134 of the National Planning Policy Framework.

10. Recommendation

10.1 Approval

Conditions

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

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

2. The approved plans comprise Drawing 510 Revision N received by Craven District Council on 15th 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.

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

3. The static caravans on the site shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
4. The owners/operators shall maintain an up-to-date register of all the names of all owners/occupiers of individual caravans and lodges on the site and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason (for conditions 3 & 4): The occupation of the caravans as a main or sole residence would be contrary to national and local planning guidance within the NPPF and Saved Policy ENV1 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

5. Prior to the first use of any of the static caravans or lodges hereby approved details shall be submitted to and approved in writing by the Local Planning Authority of the bin storage and refuse arrangements for the site, and of the gas tank storage area. The development shall then be carried out in accordance with these approved details and retained as such thereafter.

Reason: In the interests of the amenity of the area.

6. The development hereby permitted shall be carried out in full accordance with the recommendations made in the Method Statement on page 9 of the 'Ecological

Assessment' undertaken by MAB Environment and Ecology Ltd and received by Craven District Council on 16th June 2015.

7. The development hereby permitted shall be carried out in full accordance with the recommendations made on page 28 of the 'Flood Risk Assessment and Drainage Statement' undertaken by Herrington Consulting Limited and received by Craven District Council on 10th June 2015.

Reason (for conditions 6 & 7): To ensure that the development accords with the NPPF.

8. No development shall commence until a schedule for landscape maintenance (for the existing landscaping on the northern, eastern and western boundaries adjacent to the approved static caravans) for a period of 5 years has been submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include details of the arrangements and/or its implementation. The development shall be undertaken in accordance with the approved schedule and shall be maintained at all times thereafter.

Reason: To ensure that the existing landscaping scheme is implemented and maintained to an appropriate standard.

9. No static caravans approved by this consent shall be brought onto site until such time as details of those static caravans, including their external appearance and colour scheme, have been submitted to and approved in writing by the Local Planning Authority. Only the approved static caravans shall be used on the site, and no replacement, or variation of size, siting or appearance shall be undertaken.

Reason: To ensure the development is of an appropriate appearance and to accord with Saved Policy EMP16 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF.

10. Prior to the first installation of any external lighting, details of the lighting in and around the campsite hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

- (i) the location and height of the lighting columns;
- (ii) the details of the light fittings;
- (iii) the colour of the lights;
- (iv) the lux levels; and
- (v) the details of louvers on the light fittings.

The approved lighting details shall be installed prior to the occupation of the first use of any static caravan hereby approved and retained in an effective state thereafter.

Reason: Details of different styles of bollard lighting have been submitted with the application, but the actual style proposed has not been specified, and the positions of the lighting bollards have not been shown on the submitted plan. In the absence of accurate information relating to the lighting, the Local Planning Authority require the submission of further details in order to assess the impact upon the character and amenity of the area.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF. In particular the Council has requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

*INGLETON & CLAP
68/2015/15818*

CHANGE OF USE OF LAND TO PROVIDE CAMPING SITE OF 40 PITCHES (25 NO. TENT PITCHES, 5 NO. TOURING PITCHES, 8 NO. TIMBER PODS AND 2 NO. YURTS), CONSTRUCTION OF NEW TIMBER EQUIPMENT STORE AND RETENTION OF EXISTING TOILET BLOCK.

DOCKLANDS CAMPSITE, THORTON IN LONSDALE.

APPLICANT NAME: MR DAVID HOLMAN

TARGET DECISION DATE: 08/09/2015

CASE OFFICER: Gemma Kennedy

This application is referred to Planning Committee as it for a proposal on a site that has previously been considered by Planning Committee.

1. Site Description

- 1.1 The application site is an open grassed field located to the south of a former railway line, and to the south east of the hamlet of Thornton in Lonsdale. It has a narrow metalled highway to all three sides. The north eastern, western, and part of the southern peripheries have screening in place in the form of hedgerows and trees. Adjacent to the north eastern periphery of the field is an unauthorised timber clad building with a pitched roof clad in sheeting. Immediately to the south east of this building is an area of hardstanding, which leads off a gated access in the north east boundary of the site.
- 1.2 At the time of the case officer's site visit, the land was occupied by a touring caravan and two motorhomes. The site previously held a certificate of exemption for 5 motor homes with the 'Motor Caravanning Club' – this licence was however withdrawn in February this year after the Club was informed that the site had closed down. The site does not hold any certificate of exemption with either the 'Camping and Caravanning Club' or the 'Caravan Club'.
- 1.3 The site was granted planning permission (under three applications) for a campsite of 40 pitches in 2009; however pre-commencement planning conditions were not discharged prior to the expiry of those planning permissions. As such there is no lawful planning uses on the site; for the purposes of planning this site is an agricultural field with an unauthorised building upon it.
- 1.4 The agricultural land classification of the site is Grade 3, and further investigation suggests it is 3a.

2 Proposal

- 2.1 Planning permission is sought for a change of use of the agricultural land to form a 40 pitch camping site. This would incorporate 25 tent pitches, 5 touring pitches, 8 timber pods and 2 yurts. Also proposed is the construction of a new timber equipment store and the retention of the existing unauthorised building which is a toilet block. An access track is proposed throughout the site, providing a link from the existing access (on the northern boundary) to a gated secondary access in the south west corner of the field. Additional development consists of an extended hardstanding at the northern part of the site (to provide staff parking and access), 2 No. service points (for drinking water, waste water disposal, refuse disposal and fire-fighting equipment) along with additional landscaping.

3 Planning History

- 3.1 68/2009/10021 - Retrospective application for erection of a detached toilet block/washing room/drying room and office. Refused 08/11/2009.
- 3.2 Enforcement notice served regarding the toilet block – 05/11/2010.
- 3.3 68/2010/11177 – Use of land for 6 canvas and timber structures, 4 timber clad units and 25 camping pitches and 5 pitches for motor homes or touring caravans to be used for holiday accommodation and layout of access and private recreation areas. Refused 04/05/2011. Appeal allowed 08/09/2011. Planning permission not implemented.
- 3.4 68/2010/11178 - Retention of toilet block to be used in conjunction with campsite. Resubmission of previous application 68/2009/10021. Refused 04/05/2011. Appeal allowed 08/09/2011. Building permitted to be retained in relation to the associated application. A second condition required the building to be removed within 3 years (so by 2014) – the building remains in situ and is unauthorised.
- 3.5 68/2010/11179 – Maintenance store. Refused 04/05/2011. Appeal allowed 08/09/2011. Planning permission not implemented.
- 3.6 68/2015/15819 - Proposed erection of managers accommodation lodge. Not yet determined.

4 Planning Policy Background

- 4.1 Saved Policies EMP16, EMP17 and EMP18 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.
- 4.2 The National Planning Policy Framework (NPPF) and national Planning Practice Guidance (nPPG).

5 Parish/Town Council Comments

- 5.1 Thornton in Lonsdale Parish Council: “There was a strong opinion that the Parish already had sufficient caravan sites, there are approximately 130 static caravans already in place and this number does not take into account the number of pitches available to tourers. An application for a campsite less than half a mile along the same road as Docklands was passed at the end of 2012 so the situation is not the same as it was when this application was first considered in 2011. Councillors felt that any new campsites within the Parish should offer tent pitches only. The campsite should have seasonal opening between March and September. Landscaping and screening would be necessary to ensure there was no detriment to the look of the area or the views from afar. Adequate sewerage disposal facilities must be in place. Overall the Parish Council felt they could support this application if it was restricted to tent pitches with the aforementioned conditions in place.” Received 10/07/2015.

6 Consultations

- 6.1 CDC Contaminated Land: “No known contaminated land implications.” Received 23/06/2015.
- 6.2 CDC Environmental Protection: “Having considered this application, I have not identified any potential Environmental Protection issues that would give cause for concern.” Received 29/06/2015.
- 6.3 Historic England Advice: “It appears that this site could be potentially visible in views from the south and east. However, we note that landscape measures are proposed to mitigate any visual impact. If your Council is minded to grant consent we recommend that this is subject to a condition to ensure that appropriate landscape measures are

implemented and successfully established. We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.” Received 01/07/2015.

- 6.4 **Officer’s Note:** Whilst the Local Planning Authority consulted Historic England due to the proximity of the site to a number of Listed buildings, based on Historic England’s consultation guidelines, they would not normally be a statutory consultee for this type of application.
- 6.5 NYCC Highways Authorities: Recommend approval subject to a planning condition. Received 23/06/2015.
- 6.6 NYCC Sustainable Drainage: No comments received at time of writing this report.
- 6.7 Yorkshire Dales National Park Authority (Planning): “Docklands Campsite is located south of Thornton in Lonsdale and 40 metres south of the National Park boundary which runs along the disused railway line. The current site is grazing land which has an existing timber toilet block located within the site. The given proximity of the proposal to the park boundary raises very serious concerns in regards to the visual impact the proposal will have on the surrounding landscape. A site visit was undertaken and from within the park boundary the site is well screened with only limited views due to the undulating nature of the land and screening from existing topography. Whilst it is questionable whether significant landscaping would be appropriate for the area and a campsite of this nature, these are a matter for Craven District Council as the Local Planning Authority to consider in relation to the relevant Development Plan Policies. In light of this the proposals would be unlikely to affect the setting of the Park in an adverse way and as such it recommended that the Authority raises no comments. It is concluded that no comments should be raised to these three proposals.”

7 Representations

- 7.1 None received

8 Summary of Principal Planning Issues

- 8.1 The principle of development; visual impact; neighbouring amenities.

9 Analysis

9.1 **Policy background;**

- 9.2 The application site lies outside development limits, and therefore falls to be assessed under Saved Local Plan Policies ENV1 and ENV2. Saved Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development by restricting development to small scale proposals appropriate for the enjoyment of the scenic qualities of the open countryside and other appropriate small-scale development having a rural character. Where this is the case, development must also clearly benefit the rural economy; help to maintain or enhance landscape character; be essential for the efficient operation of agriculture or forestry; or be essential to the needs of the rural community.
- 9.3 Where development is acceptable in principle under Saved Policy ENV1, it must also comply with Saved Policy ENV2, which sets out criteria relating to design, materials and traffic (amongst other things).
- 9.4 The other Saved Local Plan Policies applicable to this application are EMP16 ‘Static caravans and chalets’ (which is considered to be relevant to the proposed camping pods), EMP17 ‘Camping and touring caravan sites,’ EMP18 ‘Permanent buildings on camping, caravanning and chalet developments’ and EMP19 ‘Occupancy conditions.’ These policies are generally supportive of caravan site developments subject to

certain criteria being met relating to landscape impacts, screening and landscaping, neighbouring amenity and highways (amongst other things).

- 9.5 The Craven District (Outside the Yorkshire Dales National Park) Local Plan was adopted in 1999, and it was therefore not prepared under the Planning & Compulsory Purchase Act 2004. Paragraph 215 of the National Planning Policy Framework (NPPF) states that policies not adopted in accordance with the 2004 Act need to be considered in terms of their degree of consistency with the NPPF “the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given”. As such, where there is any conflict with the local plan, the local plan policies carry limited or no weight and the application should be assessed against the new Framework.
- 9.6 Paragraph 14 of the NPPF sets out that at its heart is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. It goes on to state that for decision making this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole, or, specific policies in the NPPF indicate development should be restricted.
- 9.7 With regards to Saved Policy ENV1, this policy places significant importance on the presence of development limits. As the development limits were defined in 1999 (and have not been reconsidered or altered since), this aspect of policy ENV1 is out of date, and the development limit boundaries that were defined in relation to this policy no longer carry any weight in the decision making process. However, Policy ENV1 also has an objective of seeking to protect the scenic qualities of the open countryside and preventing harm to landscape character. The policy does not conflict in this respect with the NPPF that includes similar aims and objectives and therefore the policy has some limited weight.
- 9.8 Saved Policy ENV2, whilst linked to Saved Policy ENV1, sets out general planning considerations for development in the open countryside, which are considered to be broadly in line with the NPPF. This policy therefore carries some weight in the decision making process.
- 9.9 With reference to Saved Policies EMP16, EMP17 and EMP18 these policies relating to camping and caravanning development are considered to be in line with the NPPF in terms of supporting such development, subject to harm not being unacceptable. These policies therefore carry weight in the decision making process.
- 9.10 With regards to Saved Policy EMP19, this refers to occupancy conditions that restricts the occupation of static caravans and chalets to occupation by the same person or group of persons to not more than 60 days in any 3 month period. This policy was adopted in 1999, is considered to be out of date, and carry no weight in the decision making process. In 2006 DCLG document ‘Good Practice Guide on Planning on Tourism’ (which is now out of date itself, but nevertheless provides the most up-to-date recommendations) suggests a different recommended condition to ensure holiday occupancy use only which Craven District Council decisions have used on similar developments in recent years. The criteria within the applicable Saved Local Plan Policies, and the NPPF, will be considered in further detail in the following sections of the report.

9.11 Agricultural land classification;

9.12 The Council's mapping system identifies that the agricultural land classification of the site is 3. Classification 3 has two categories – 3a (good) and 3b (moderate). It appears from further investigation that the site is 3a, good. The NPPF defines the best and most versatile agricultural land as those in grades 1, 2 and 3a. Paragraph 112 of the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

9.13 In this instance the site is considered to be good quality agricultural land. However, whilst the application is classified as a major, it is not considered to be a 'significant development of agricultural land.' When not in use the land can still be grazed, and if the proposed tourism use ceases in the future it wouldn't take much work to remove any structures to wholly revert the field to agricultural. Another point to make is that the site, which extends to 2.2 hectares, is bounded on all three sides by highways – in that respect the use of the site for livestock to graze is somewhat restricted in terms of moving animals from other fields. Whilst it is appreciated the site is of good quality land, the use of this land for an alternative purpose is not considered unacceptable in this case.

9.14 Principle of development;

9.15 The proposal is for development in open countryside. Saved Local Plan Policy ENV1 is not considered to preclude such development so long as the scenic qualities and landscape character of rural areas are not unacceptably impacted upon. Saved Policies EMP16, EMP17 and EMP18 support the principle of the development of caravan and camping sites in the open countryside in Craven, subject to certain criteria being met.

9.16 Saved Policies EMP16 and EMP17 require the site to be located in an area with local opportunities for informal countryside recreation, but the development should not itself be detrimental to those attractions. The site is located in an open countryside location, on the edge of the small village of Thornton in Lonsdale, which has limited amenities (a public house and a church). However, there is a shop on the nearby A65 (Country Harvest) which is a five minute walk from the site, and the village of Ingleton is located just over ½ mile to the east (approximately a 10 minute walk) which has a number of shops and eating establishments. There is a network of public rights of ways nearby, and the site is on the edge of the Yorkshire Dales National Parks (which is located just to the north of the site).

9.17 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. There are three dimensions to sustainable development; economic (supporting a strong and competitive economy), social (supporting strong, vibrant and healthy communities with regards to housing, health, social and cultural well-being) and environmental (protecting and enhancing the natural, built and historic environment).

9.18 Section 3 of the NPPF sets out that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should support sustainable rural tourism and leisure developments that benefit business in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

- 9.19 In terms of the principle of development the site is considered to be in a sustainable location, with local services and leisure accessible by walking. The proposal would contribute towards the local economy with visitors using these local services (public houses, shops, restaurants, as well as tourist destinations). The Parish Council object to the application stating that there is sufficient provision of camping and caravanning sites in the local area. It is not clear whether the NPPFs reference to supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres relates to facilities (shops, cafes) only, or also to accommodation. Furthermore there is no evidence to suggest whether there is a demand for/shortage of campsites in the area. Nevertheless, the setting up of a campsite will normally be dictated by demand; applicants would not normally invest in the setting up costs for a business if there wasn't sufficient demand to support it. In this part of the District there is generally a greater demand for camping destinations due to the scenic and tourist qualities of the area, and the proximity to the Yorkshire Dales and Lake District National Parks, and so there will inevitably be a greater number of such businesses in these areas.
- 9.20 The Local Planning Authority therefore considers that the proposed campsite would support a strong rural economy locally, both through providing employment (managers, grounds-people) and supporting local services and tourist attractions. The proposal is therefore considered to accord with the economic dimension of sustainable development as set out in the NPPF, and the economic aspect of the proposal is considered to be acceptable in principle.
- 9.21 Whilst the proposal is considered to be acceptable in terms of the economic dimension of sustainable development, it must also meet the social and environmental dimensions as set out in the NPPF, which will be considered in the following sections of this report.
- 9.22 **Visual impact;**
- 9.23 Saved Local Plan Policy ENV2 sets out requirements for development in the open countryside. Proposals should be compatible with the character of the surrounding area, not have an unacceptable impact on the landscape and safeguard landscape features, and the design of buildings and structures and the materials proposed should relate to the setting, taking account of the immediate impact and public views of the development.
- 9.24 Saved Policy EMP16 requires that sites for static caravans and chalets, or in this case pods which will be a permanent feature on the site, should be well screened by landforms and/or existing landscaping from roads, elevated viewpoints and other public places, and that development will not have an adverse effect on the character and appearance of the countryside. The scale of development should be of a high standard of layout, design and landscaping with the buildings satisfactorily blending into the landscape in terms of their siting, colour and materials.
- 9.25 Saved Local Plan Policy EMP16 covers static caravans and chalets (in this case the pods) which requires the site to be well screen at the time of an application. Saved Local Plan Policy EMP17 (camping and touring caravan sites) requires the site to be potentially well screened by landform and/or existing or additional landscaping from roads, elevated viewpoints and other public spaces. Saved Local Plan Policy EMP18 permits permanent buildings on caravan sites subject to them not having an adverse effect on the character and appearance of the countryside and being of a good standard of design and satisfactorily blending into the landscape in terms of their siting, design and materials. EMP18 also requires that any permanent buildings related to camping and caravanning sites are necessary for the operation of the site, and their size and nature relate to the needs of site residents.

- 9.26 These objectives are supported by the NPPF, which defines the Environmental dimension of sustainable development as “contributing to protecting and enhancing our natural, built and historic environment” amongst other things. Furthermore one of the core principles of the NPPF is recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- 9.27 It should be noted that the site is in close proximity to the Yorkshire Dales National Park. Paragraph 115 of the NPPF sets out that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and AONBs, which have the highest status of protection in relation to landscape and scenic beauty.
- 9.28 The Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal designates the application site as falling within ‘rolling drumlin field pasture’. The character of this landscape is described as strong and the condition declining. The character is that of ‘distinctive landscape of intricate sequence of pasture, hedgerows, small copses and woods superimposed on an undulating landform, accentuating relief of the hills.’ In terms of sensitivity to change it is stated that views are generally limited as a result of the varied topography, and lowland areas are less sensitive to development.
- 9.29 Another strand of visual impact to consider is in relation to Heritage Assets. There are a number of listed buildings in the surrounding area – the closest is 56 metres to the west (Halsteads), and a Grade II* Listed Church 140 metres to the north. One of the core principles of the NPPF is for planning to conserve heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contributions to the quality of life for this and future generations.
- 9.30 Paragraph 131 of the NPPF sets out that in determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.31 Paragraph 132 of the NPPF goes on to set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm of loss should require clear and convincing justification.
- 9.32 Paragraph 133 of the NPPF states that where a proposed development will lead to “substantial harm” to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. In cases where development leads to “less than substantial harm” to the significance of a heritage asset paragraph 134 explains that the harm caused should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.33 The application is for a proposal which is very similar to a scheme allowed in three Appeals in 2011. Although the planning permission allowed in those appeals has now lapsed, the Local Planning Authority nevertheless consider that substantial weight should be given to the Inspector’s previous decisions in considering this application. In considering the visual impact of the development, the Planning Inspector considered that the site was relatively hidden with landscaping surrounding most of the field. The Inspector considered that this landscaping screened the site,

particularly from the north and south, and from close views from extensive lengths of the surrounding lanes. In the four years since the Appeal the peripheral landscaping has continued to mature such that apart from a section at the south east corner, the site is well screened. The application has been submitted with a scheme for additional landscaping throughout the site. Planting proposed in the south west corner will, once established, providing screening of the site from an area which is currently open.

- 9.34 In terms of the permanent development proposed a track, in crushed stone, snakes its way from the north east to south west of the site. In the northern corner a new timber maintenance store is proposed, with an existing unauthorised timber structure to be retained and used as a toilet block – hardstanding and four parking spaces will surround these buildings. Immediately to the south west of these, 5 permanent timber pods would be sited. The remaining three pods would be sited just to the east of the centre of the site. Further permanent development consists of hardstanding to the south east of the timber buildings and access road is to be retained to provide 5 pitches for touring caravans. Finally, 2 service points are proposed adjacent to the track running through the site. The remaining development would be temporary and changeable – 25 camping pitches are proposed in the south and east sections of the site. The two yurts would be located in the centre of the site. The remainder of the site would left open as informal play space.
- 9.35 In the summer months when the campsite is operating at full capacity the existing landscaping would largely obscure the site from public views, other than those achieved when approaching the site from the south west. In the long term, once the proposed landscaping has been established the site would be largely sheltered from public views during the summer months, with glimpses of the site gained from the two gateways.
- 9.36 In the winter months, even with the increased landscaping in place, the deciduous nature of that landscaping would result in increased views of the site without leaf coverage on trees and hedges. However, operations at the site would cease during the winter months (a planning condition would restrict the use of the site to between 1st March and 30th September); there would be no tents or touring caravans, and the two timber yurts would be removed and stored off site. As such, only the permanent features would remain – the 2 timber buildings, 8 timber pods, track, hardstandings and service points. The permanent structures are therefore limited, and as landscaping would remain in place (albeit sparsely), rather than the site being completely open to surrounding views, the development on the site during the winter months is considered to be acceptable.
- 9.37 In consideration of the impact of the development on views from the Yorkshire Dales National Park, whilst the Authority recognise the proximity of the site to the National Park boundary and the potential of this to raise “very serious concerns in regards to the visual impact” on the surrounding landscape, they also recognise the landscaping proposed, and conclude that “the proposals would be unlikely to affect the setting of the Park in an adverse way.” They query whether extensive landscaping is appropriate in this location; given the existence of substantial landscaping surrounding the site at present, the local planning authority considers further landscaping would not be inappropriate. The case officer is also satisfied, due to the landscaping in place and proposed, that the proposal would not be detrimental to the character and appearance of the nearby Yorkshire Dales National Park.
- 9.38 On a similar note, due to the landscaping in place and proposed, the case officer is also satisfied that the proposal would not adversely affect the setting of the Listed buildings in the local area. Historic England have been consulted on the application

and have no objections, noting that the landscape measures are proposed to mitigate any visual impact.

9.39 With respect to Saved Local Plan Policy, the proposal is considered to comply with the aims and objectives of Saved Local Plan Policies EMP16, EMP17 and EMP18. With respect to policy within the NPPF, the proposed development being on a new site (rather than redeveloping an existing site) will result in a change to the character and appearance of the local area, taking into account the existing and proposed landscaping, and the seasonal nature of the development, it is not considered that any harm that may be caused to heritage assets in the locality, and the proposal therefore accords with paragraph 134 of the NPPF (which explains that any harm caused to heritage assets should be weighed against the public benefits of a proposal). In terms of paragraph 14 of the NPPF this will be assessed at the end of this report.

9.40 **Neighbour amenity;**

9.41 Saved Local Plan Policies EMP16 and EMP17 state that development must not have an unacceptable impact on the character or setting of settlements or the amenity of local residents, this is also considered to be relevant to the social dimension of sustainable development, as set out in the NPPF.

9.42 The closest residential property to the site is 'Halsteads', 56 metres to the west, with the closest camping pitch being a further 100 metres away from this property. Properties to the north west are over 120 metres from the site, and further from the camping pods. It is inevitable that when in full operation with 40 pitches during the summer months the camp site will generate a certain amount of noise, particularly as the nature of the facilities (tents, pods) will not contain noise to the same extent as other building types. However, given the space separation involved, the extensive landscaping which will act as a noise buffer, and the fact that CDC Environmental Protection have not raised any concerns it is considered that the proposal would not result in a harmful loss of amenity to neighbouring residents. The proposal is therefore considered to comply with Saved Policies EMP16 and EMP17, and the NPPF.

9.43 **Other issues;**

9.44 In consideration of highway safety, Saved Local Plan Policies EMP16 and EMP17 require that the site has good access to the road network and that the traffic generated by the proposal can be satisfactorily accommodated on the local highway network. NYCC Highways Authority has been consulted on the application, and has raised no objections on highway safety grounds. The site is in close proximity to the A65 and therefore in an accessible location, with good access to the road network.

9.45 As this is a major application the Lead Local Flood Authority (North Yorkshire County Council) have been consulted on the application regarding 'Sustainable Drainage Systems' (SuDS). A consultation response has not yet been received, and any response will be provided in an update at Planning Committee.

9.46 **Conclusion;**

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

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- Specific policies in this Framework indicate development should be restricted.

- 9.48 In this case the relevant Local Plan policies are out of date (although it has been established that some limited weight can be placed upon them) and therefore the policy within Paragraph 14 of the NPPF is applicable. The development should therefore be permitted unless the adverse impacts of doing so would outweigh the benefits.
- 9.49 The benefits of the development principally relate to meeting the NPPF's objectives of supporting economic growth in rural areas. The proposal would allow the development of a new campsite, and in turn support a strong rural economy locally, both through providing employment, and supporting local services and tourist attractions.
- 9.50 The adverse impacts essentially relate to public views of the site in the short term, before the proposed landscaping has become established, views of the site in the winter months, and the agricultural land classification of the site. However, by imposing planning conditions requiring the implementation and maintenance of landscaping, the operation of the site only during the summer months, and the considerations made at paragraph 9.11 of this report with regards to agricultural land classification it is considered that these adverse impacts can be largely mitigated. In this instance it is considered that adverse impacts of granting planning permission would not outweigh the benefits, and planning permission should be granted.

10 Recommendation

10.1 Approval

Conditions

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

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

2. The approved plans comprise Drawings 01-site location plan, S1459 02 Rev A, S1459 03 Rev A, 566.200 Rev F and 566.201 Rev C received by Craven District Council on 20th May 2015 and drawings of 'The Pod' (cross section, Iso view, long section, floor plan, roof plan, front view, side view, rear view) received by Craven District Council on 17th June 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.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), the site the subject of this permission and defined on the drawings listed in condition 2 above shall be used only as defined in this permission and for no other temporary or seasonal uses in connection with the operation of the holiday accommodation, or any other temporary or seasonal use other than agriculture.
4. The occupation of the development hereby approved shall be limited to holiday accommodation only and shall not be occupied as a person's sole or main place of residence:
5. The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual pods on the site and of their main home addresses,

and shall make this information available at all reasonable times to the Local Planning Authority.

Reason (3 - 5): Use of the site otherwise than in accordance with these conditions would be inappropriate in this location, and to accord with Saved Policies EMP16 and EMP17 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF.

6. All accommodation on the site shall be occupied only between March 1 and September 30 in any calendar year. No touring caravans or yurts shall be sited or stored outside this period.
7. In the event that campsite ceases to operate, all structures and ancillary works shall be removed from the land and the land shall be restored to its previous condition in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority within 12 months of the date of the campsite ceasing to operate.

Reason (6 & 7): For the avoidance of doubt and in the interests of visual amenity.

8. Before the Yurts are first brought onto the site full details, including their size, location, external materials and finish shall be submitted to and approved in writing by the Local Planning Authority. Only the approved units shall be used on the site, and no replacement, or variation of size, siting or appearance shall be undertaken.
9. Before the Pods are first brought onto site full details of their finish (i.e. colour and type of paint or stain) shall be submitted to and approved in writing by the Local Planning Authority. Only the approved units shall be used on the site, and no replacement, or variation of size, siting or appearance shall be undertaken.

Reason (8 & 9): To ensure the Yurts and Pods are of an appropriate appearance, and to accord with Saved Policies EMP16 and EMP17 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF.

10. Prior to the yurts first being brought onto the site, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing where the yurts will be stored when not in use, and the time periods allowed at the finish and beginning of the approved season of use (1st March to 30th September) when the yurts shall be dismantled and moved to their place of storage. The use of the yurts will thereafter be managed in accordance with the approved requirements.

Reason: For the avoidance of doubt and in the interests of visual amenity.

11. The existing toilet block and the proposed maintenance equipment building shall be used only as ancillary buildings for the proposed tourism use of the site.

Reason: For the avoidance of doubt as to what is permitted.

12. No development shall commence until such additional details of the submitted landscape scheme as may be required by the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation, whichever is the soonest. The approved scheme shall be maintained by the applicant or his successors in title for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, diseased or dies, by a similar sized tree of the same species or other species as agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to accord with Saved Policies EMP16 and EMP17 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF.

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 45 metres measured along the centre line of the major road 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.

Reason: In accordance with Saved Local Plan Policies EMP16 and EMP17 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and in the interests of road safety.

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

14. Prior to the first use of the campsite a scheme to deal with the on-site storage and collection of waste from the use of the site shall be submitted to and approved in writing by the Local Planning Authority. The use of the site shall thereafter be undertaken in accordance with the requirements of the approved scheme.
15. Prior to its first installation, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Any lighting shall thereafter be installed and subsequently retained in accordance with the approved details.

Reason (14 & 15): In the interests of the amenity of the area.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF. In particular the Council has requested additional information to address the planning issues which have arisen in relation to dealing with this application.

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

**GLUSBURN
32/2015/15584**

INSTALLATION OF 13 NO STORAGE VESSELS WITH SAFETY GUARD RAILS, CONCRETE BUND AND BOUNDARY SCREENING (APPLICATION INCLUDES RELOCATION OF VESSELS APPROVED ELSEWHERE ON THE SITE TO ALLOW SITING OF THEM IN ONE LOCATION).

ENTERPRISE CENTRE, SKIPTON ROAD, CROSS HILLS.

APPLICANT NAME: AIREDALE CHEMICAL CO LTD.

TARGET DECISION DATE: 03/06/2015

CASE OFFICER: Mark Moore

This application is referred to the Planning Committee due to the public interest in this and other applications submitted by Airedale Chemicals. In particular concerns have been raised with respect to residential amenity and public health and safety.

1. Site Description

- 1.1 The Airedale Chemical premises are located within the Midland Mills business estate, which is part of a larger employment area located between Station Road and Skipton Road at Cross Hills. The application premises comprise a mixture of old industrial buildings and modern business units, together with associated land. The applicant's full land holding being bounded by the Leeds to Skipton railway line to the south, and other industrial premises to the west, east and north.
- 1.2 The access to the site is from Skipton Road to the east.
- 1.3 The site is located within the development limits of Cross Hills and Glusburn as allocated in the adopted Craven District (Outside the Yorkshire Dales National Park) Local Plan (1999); and allocated as an 'established industrial area' in the local plan.
- 1.4 As Airedale Chemicals is categorised as a Major Hazard Site the application site falls within a buffer zone where consultation with the Health & Safety Executive (HSE) may be necessary.

2. Proposal

- 2.1 This application seeks retrospective approval for the installation of 13 storage vessels with safety guard rails, a concrete bund and boundary screen all contained within an area situated at the western end of the site adjoining the rear boundary of an existing building within the Midland Mills Industrial Estate.
- 2.2 A supporting letter has been submitted on behalf of the applicant that sets out the reasons for the application. In summary the proposal is following a decision of the applicants to not implement extant planning permissions for:
- A 3 storey office block
 - Increase in height of an existing building by 2m
 - Installation of 7 storage vessels and bund and erection of gantry/pipe bridge at the eastern end of the site.
- 2.3 The changes that have been made are that the 7 vessels that were to be located at the eastern end of the site (adjacent to the office block at the site entrance) are now located adjacent to storage tanks that have previously been approved adjacent to Midland Mills. Originally the approval was for 6 large tanks but it is now proposed to have only 3 of the larger tanks and 10 smaller vessels.

2.4 In relation to the use of the containers the applicants have advised:

'We are regulated by the HSE under the COMAH regulations, and by the Environment Agency under the Environmental Permitting Regulations (EPR). As part of our environmentally permitted activities, we have to ensure that we have several levels of containment for our chemicals to ensure that we protect the environment from pollution from potential spills. These tanks are installed in a bunded area that gives us an extra level of secondary containment. These tanks will be used to store raw materials and finished products that are currently stored in either multiple 1000 litre containers or in existing storage tanks on site. The materials that will be stored in these tanks will be chemicals for use in industrial purposes, such as drinking water treatment. This includes acids, such as Phosphoric Acid, Sulphuric Acid and Nitric Acid'.

Officer note: None of these chemicals are included in Schedule 1 'Hazardous Substances and Controlled Quantities' - Part A 'Toxic Substances' or Part B 'Highly Reactive Substances and Explosive Substances' of the Planning (Hazardous Substances) Regulations 1992. As such they are not classed as hazardous substances for the purposes of planning.

2.5 The safety guard rails are located above the vessels around the perimeter of the tank platforms and concrete bund.

2.6 A sound attenuating screen wall is now proposed at the southern end of the storage area. The wall would be 8.5m in height and would be faced with grey cladding.

3. Planning History

3.1 The Airedale Chemicals site has a long planning history commencing with the change-of-use of an ex gas holder station to office store, workshop and builders yard in November 1975 and followed by several subsequent commercial and industrial use permissions.

3.2 The more recent relevant applications to the application site are: -

3.3 32/2000/0056: Removal of existing north light roof structure and replacement with portal frame roof structure clad in metal profiled steel sheeting. Approval: April 2000.

3.4 32/2005/5306: Demolition of existing office and stores, construction of new workshop/storage units, improvements to existing access roads. Refused May 2005 on highway safety grounds.

3.5 Planning Ref. 32/2006/6600. To construct a breeze block/reinforced steel chemical liquid bund, 25.0 m long, 5.3 m wide and 3.5m tall and erect 5no. Liquid bulk storage tanks each 10 metres in height and 3.08 metres diameter. Refused September 2006 due to the visual harm caused to the wider area.

3.6 32/2006/6119: Hazardous Substances Consent for the storage of Sodium Bichromate and Formaldehyde. Approved January 2007.

3.7 32/2006/6796: To construct a breeze block/reinforced steel liquid bund, 25.0 m long, 5.3 m wide and 3.5m tall. To place within the bund 5 chemical liquid bulk storage tanks each 8 metres in height and 3.5 metres diameter (re-submission of refused application 32/2006/6600). Approved January 2007.

3.8 32/2013/13843: Installation of 7 No. Storage Vessels and Bund, and Erection of Gantry/ Bridge for Pipework. Approved October 2013.

3.9 32/2013/13908: Install 6 storage vessels and bund. Approved October 2013.

4. Planning Policy Background

4.1 **Saved Policies in the Craven District (Outside the Yorkshire Dales National Park) Local Plan:**

EMP4: Employment Development within Development Limits and Established Industrial Areas.

EMP6: Extensions to Existing Employment Uses.

4.2 **National Planning Policy Framework.**

4.3 **National Planning Policy Guidance.**

5. Parish/Town Council Comments

5.1 **Glusburn & Crosshills Parish Council:** Object to the application as the PC consider that development is getting out of proportion for the area that it is sited in. Light pollution to nearby properties is an issue. PC question if it is now higher than the original permission and comment that the gantry in the application is above the mill original plan. There is major concern from residents following the recent press article on the nitric acid escape – residents had previously been assured that no hazardous products were stored on the site. The fork lift truck is operating all night which disturbs the residents.

5.2 The PC state that they consider that a site visit is necessary.

6. Consultations

6.1 **Environment Agency:** Have no objections. The EA comment that the site benefits from an Environmental Permit regulated by the Environment Agency. Airedale Chemical Company Ltd applied for a variation to their permit to include the 13 bulk storage tanks in this area, the west bund containing 3 bulk storage tanks and the east bund containing 10 new storage tanks. Bund capacity was reviewed as part of the determination process. A permit variation RP3238SE/V007 was issued on 2 April 2015 and also updates the point source emissions to air.

6.2 **CDC Environmental Health:** Comment that they have not identified any potential Environmental Protection issues that would give cause for concern. Also comment that the site is operated via an Environment Agency permit and the EA are best placed on any potential contaminated land implications.

6.3 **Health & Safety Executive.** As the site is within the 'buffer zone' where consultation with the HSE may be necessary the HSE's consultation requirements have been checked on previous applications relating to storage vessels and it was found that the proposals did not fall within the requirements where consultation with the HSE is necessary. Notwithstanding, the current application has been checked against the HSE's online consultation tool and the response is that the HSE do not advise against the granting of planning permission in this case.

7. Representations

7.1 Ten letters of objection have been received from local residents commenting as follows:

- Safety record of Airedale Chemicals is not good as evidenced by recent incident and fine.
- Storage of increasing range and volume of chemicals within close proximity of residential properties, a children's nursery and a busy railway line is dangerous.
- Airedale Chemicals should relocate to another site.

- Application says no toxic waste is involved but chemicals stored on the site are toxic.
- Existing 3 containers are an eyesore and stand much higher than the old Midland Mills.
- Bunds are unsightly and obstruct views from nearby properties.
- Vessels and gantry are visible from nearby residential properties.
- The EA has commented that surface water drains on the trading estate and lead directly to the River Aire. They are currently investigating an incident of pollution at the River Aire Bridge.
- If one vessel collapsed the proximity of other vessels would cause a domino effect.
- There are problems with light pollution at the site.
- No system is in place to warn local residents of emergencies.
- Airedale Chemicals have not adhered to previous applications where they agreed that the vessels would not show above the height of the old Midland Mills building.
- 16 vessels stored in one area of the complex is dangerous and inappropriate within close proximity of residential development.
- Site operates 24 hours 7 days a week and having so many chemicals stored so near together will create more noise.
- Application states there will be additional lighting when site is already lit up at night.

Officer note: Although lighting is shown on the submitted plans it has not been included in the description of development and therefore does not form part of this application. It is proposed to attach an informative to clarify that the permission does not include lighting.

8. Summary of Principal Planning Issues

8.1 Planning policy and the principle of development at this location.

8.2 The impact of the development on the general amenities of the area.

9. Analysis

Principle of development and planning policy:

9.1 The main thrust of the National Planning Policy Framework is an overarching presumption in favour of sustainable development; i.e. the general acceptability of the proposals against the stated “three dimensions to sustainable development: economic, social and environmental” (referred to in the NPPF as the roles the planning system should perform). A ‘core principle’ is that the planning system should proactively drive and support sustainable economic development and growth; and Section 1 of the Framework (‘Building a strong, competitive economy’) requires local planning authority’s to support business sectors. However, in addition, the Framework seeks in broad terms to strike a balance, and securing high quality design and a good standard of amenity for local residents are other core principles.

9.2 The application site falls within the recognised development limits of the settlement and is located within an established employment area. In addition the operation of the chemical plant is a lawful use.

9.3 In this case the proposal is primarily seeking permission to relocate a number of vessels that have planning approval elsewhere on the site and to contain them within one area located adjacent to the old Midland Mills building. As such, there is no material change of use of the land and the principle of development has been established by virtue of the previous the previous planning approval and has been accepted to be in accordance with the NPPF.

9.4 Therefore, the acceptability of the proposal rests with consideration of the details of the development.

Impact on local amenities:

9.5 Local Plan Policies EMP4 and EMP6 are permissive of new employment development within settlement limits and established business areas subject to several criteria to assess the general acceptability of the proposals. These require, amongst other things, that the development is of a scale and type appropriate to the locality and that it would not adversely alter the appearance or character of the area or have an adverse effect on neighbour amenity and that it is of a satisfactory standard of design.

9.6 In this case the existing tanks are visible from the periphery of the site and are 0.5m higher than those that were previously granted permission i.e. 8.5m x 4.5m as opposed to 8m x 4.5m as originally approved, and, with the addition of the safety rails their overall height increases to 9.5m. However, it is considered that the height increase is not significant enough to justify refusal of planning permission and the substitution of 3 large vessels for 10 narrower vessels (at 2.5 Ø), which would be contained within the same floor area and bunding as previously approved, is not considered to result in the overall massing and scale of the storage compound being significantly greater than that of the previous planning permission. Consequently, the storage tanks are not considered to be unacceptably intrusive and the visual impact is not considered to be significant when compared with the existing planning permission.

9.7 The development is bounded by other industrial premises on all sides and therefore there is no direct conflict with neighbouring land uses or the general character of the area. It is also noted that the Council has agreed this location as being suitable for storage vessels by virtue of the previous planning permission and therefore can only now consider the implications of the increased height and number of vessels. With regards to the latter it is the officer's view that the increase in the number of the vessels raises no issues in planning terms beyond consideration of the visual impact. In coming to this view it is noted that the safety aspects of the vessels are regulated outside of the scope of planning control and there could be no basis to refuse planning permission over safety concerns.

9.8 In the context of the location within the main industrial and commercial area of Cross Hills it is held that the site is an appropriate location for the development and it is not considered that the application proposals will cause unacceptable visual harm. In addition the application now incorporates a screen wall to the southern side of the storage compound which should provide a degree of sound attenuation and limit views of the vessels from the south of the site.

9.9 Another factor for consideration with this application is that the proposals would result in the storage vessels being contained within one area which is considered to be less visually intrusive than having two separate areas at either end of the site. In the event of planning permission being granted for this proposal it is proposed to attach a planning condition that would require the applicants to only undertake one of the approved schemes.

9.10 There are no technical objections to the proposals from the Environment Agency, CDC Environmental Health or the Health and Safety Executive. There is a separate regime of control for the storage of hazardous substances and if these are to be

stored on the site the applicants would require a specific consent under the Planning (Hazardous Substances) Act 1990. This Act requires developers to make a separate Hazardous Substances Consent application for permission to store hazardous materials. Furthermore, it is also understood that a licence from the Environment Agency would be required that would entail inspection of the premises on a regular basis. In conclusion a grant of planning permission would not entitle the applicants to use the vessels to store hazardous materials and the controls on the site would be provided under separate legislation. It is proposed to include an informative to make the applicants aware of the need to comply with the appropriate Health and Safety legislation.

Conclusions

- 9.11 In conclusion, it is considered that the development, in comparison to the approved vessel storage that it replaces (Ref: 32/2013/13908 and 32/2013/13843) will have minimal environmental impact and by association with use existing infrastructure and transport facilities constitutes sustainable economic development in accordance with NPPF guidance. In addition, in the absence of any adverse material impact on the general character and amenities of the area, the application proposals accord with the requirements of the criteria contained in saved Local Plan Policies EMP4 and EMP6.

10. Recommendation

10.1 Approval.

Conditions

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

Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act 1990
2. The approved plans comprise Drawing No's 1620-21-01 revision E and 1620-90-01 revision D received by the Local Planning Authority on 2nd June 2015. The development shall be completed in accordance with the approved plans except where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: To specify the terms of the permission and for the avoidance of doubt.
3. The development for which permission is given in this notice (herein after called 'the second permission') shall not be exercised in addition to or in combination, as to part, with the development permitted by the notice of permission numbered 32/2013/13843 issued on the 21st October 2013 (hereinafter called 'the first permission') so that there shall be the option to develop in accordance with either the second permission or the first permission but not both.

Reason: For the avoidance of doubt and to prevent an inappropriate development of the site by the implementation or partial implementation of both planning permissions.

Informative

1. This permission does not authorise the storage of hazardous materials. There is a separate regime of control for the storage of hazardous substances under the Planning (Hazardous Substances) Regulations 1992. and if these are to be stored on the site it is the responsibility of the occupiers of the site to ensure that all necessary licences and consents are obtained and complied with.

2. The developer should note that irrespective of any details shown on the approved plans this permission does not grant approval for any lighting on any part of the application 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 NPPF.

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

*SKIPTON NORTH
63/2015/15930*

*TWO STOREY REAR AND SIDE EXTENSION AND ATTIC CONVERSION TO
PROVIDE ADDITIONAL ACCOMMODATION*

83 RAIKES ROAD, SKIPTON.

APPLICANT NAME: MR & MRS S BURRELL

TARGET DECISION DATE: 14/08/2015

CASE OFFICER: Natasha Szuszeko

The application has been called before Planning Committee at the request of Councillor Dawson due to the level of public interest and impact upon neighbouring properties.

1. Site Description

1.1 The application property is a two storey semi-detached dwelling located to the west side of Raikes Road in Skipton. The property is constructed of walls finished in render and stone with a slate roof. The dwelling has a small front garden with only pedestrian access from the front. To the rear is a large garden which has vehicular access via a private road to the south. The land slopes upwards to the north with the neighbouring property to the north at a higher level and the adjacent property's garden area below the application properties garden area.

2. Proposal

2.1 The application seeks approval for the construction of a two storey rear and side extension with attic conversion to provide additional living accommodation.

3. Planning History

3.1 63/2013/13917 – Two storey side and rear extension – Application Withdrawn 28th October 2013.

4. Planning Policy Background

4.1 National Planning Policy Framework (2012)

4.2 Saved Local Plan Policy H20 of the Craven District Council (Outside the Yorkshire Dales National Park Authority) and Appendix F of that document.

5. Parish/Town Council Comments

5.1 Skipton Town Council - No objection. However due to receiving correspondence from a member of the public the group will be asking a CDC Councillor to call it in. – Received 13th July 2015.

6. Consultations

6.1 No technical consultations required.

7. Representations

7.1 13 letters of objection have been received raising the following points;

7.2 The extension would add an extra 75% of space to the existing dwelling, it would curtail the light and view of my property (No.81) and No.85.

7.3 Concerned that the proposal would set a precedent in the area.

- 7.4 The impact upon immediate neighbours would be huge with considerable loss of light and views and potentially de valuing properties.
- 7.5 The extension is intrusive and out of context.
- 7.6 The proposal appears to be at least two thirds the size of the house it is disproportionate in size and cannot be accurately described as an extension. I am not directly affected by the proposal but have lived on Raikes Road for forty five years and do not want to see the area spoiled.
- 7.7 The side extension is wider than on previous application with the retaining wall only 1m from the path and retaining wall with No.85. The proposed extension would cut out the afternoon light to No.81 Raikes Road throughout the summer. The proposed extension is no improvement on that submitted earlier and conflicts with Saved Policy H20 in many respects. The extension when taken as a whole is visually dominant and overbearing and oppressive when viewed from the windows and gardens of neighbouring properties.
- 7.8 An extension will push the property into a whole new price bracket and therefore should be refused.
- 8 Summary of Principal Planning Issues
- 8.1 Visual impact of the proposed development upon the character and appearance of the host dwelling and wider street scene.
- 8.2 Impact of the development upon the privacy and amenity of neighbouring properties.
- 8.3 Other Issues.
- 9 Analysis
- 9.1 The National Planning Policy Framework states that LPAs should always seek to secure high quality design and ensure developments are “visually attractive as a result of good architecture and appropriate landscaping”. Permission should be “refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.” Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan states that the scale, design, proportion and materials of the extension should respect the original property and not have an adverse effect on the street scene.
- 9.2 The original property is constructed of wall finished with stone and pebble dash and a slate roof. The proposed extension would be constructed of materials to match these and as such would be considered to be appropriate.
- 9.3 The proposed rear extension would be a large addition to the property however public views of the rear extension would be limited predominantly to views from private gardens and windows. From the street scene only the side extension would be visible and this is considered to be a moderate size of extension that would not cause significant harm to the character or appearance of the street scene by virtue of its scale or proportion. Given the limited public views of the rear extension it is not considered that it would be of an unacceptable scale or proportion.
- 9.4 In terms of the design of the side extension it is acknowledged that there are a variety of side extensions within the street scene with differing roof forms. The roof proposed as part of this development would reflect that found on the original property and, whilst different to others in the street scene, would be considered to be suitable.
- 9.5 The rear extension has been modified to reflect the changes requested as part of an earlier scheme that was withdrawn in 2013. The first floor element will protrude from the rear wall by 3.2m with the ground floor extending by 6m. The design is not traditional, however the roof form is similar with the amended plans showing a hipped

roof at ground floor, this was requested to 'soften' the appearance of the side elevations of the extension given their protrusion from the rear wall. However, as mentioned previously, there are limited public views of the rear of the property and as such the overall design is considered acceptable.

- 9.6 The proposed extensions would be of an appropriate scale, proportion, materials and design to not have a significant detrimental impact on the character or appearance of the original property or the street scene meeting this requirement of the NPPF and Saved Policy H20 of the Local Plan.
- 9.7 Impact of the development upon the privacy and amenity of neighbouring properties.
- 9.8 The National Planning Policy Framework states that LPAs should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan also states that an extension must not result in any unacceptable loss of privacy and amenity to neighbouring residents.
- 9.9 All windows to the north elevation of the development are proposed to be obscure glazed and as such there would be no unacceptable overlooking to this direction. The rooms behind these obscure windows would be to a bathroom and a utility room. The property also has a long rear garden and the extension is not considered to bring the rear wall of the development unacceptably close to other properties to overlook. No additional windows are proposed to the southern elevation of the residence and as such the proposal is not considered to cause an unacceptable increase in overlooking of the adjoining property.
- 9.10 The rear extension would be to the south west of the original property with the adjoining property lying to the south east and a neighbouring property lying to the north west. Given the location of the adjacent property to the south (No.81) it is unlikely that the proposal would result in an unacceptable overshadowing effect on this property. As noted at point 3.8.1 of Appendix F extensions to the north can have a beneficial effect in some cases providing a private and sheltered area of garden.
- 9.11 Within Appendix F Policy No5 states that when considering proposals for rear extensions the council would not normally approve extensions that project more than 2.5m from the rear wall unless the windows on the adjoining property are located more than 2.5m from the common boundary. Appendix F also states that (para 3.8.2) two storey extensions that project beyond a 45 degree angle taken from the edge of the nearest habitable window on the adjoining property are unlikely to be acceptable.
- 9.12 The extension would protrude more than 2.5m at ground floor level, however, as No.85 is at a higher level it is not considered that the ground floor element will lead to significant overshadowing of the property. At first floor level the extension does not project more than a 45 degree angle taken from the edge of the nearest habitable room windows according to the submitted floor plan and therefore the potential for overshadowing is limited although it may result in some overshadowing of the rear garden later in the day.
- 9.13 Para 5.2.1 in Appendix F states that rear extension should be "designed to avoid physically dominating" neighbouring dwellings. It is acknowledged that the southern elevation facing onto the adjoining property extends some way from the rear wall of the dwelling, however, the amended drawings have altered the roof form to a hipped roof, and this has been done in an attempt to lessen the visual impact upon the neighbouring dwelling. The elevation, to avoid overlooking, would be featureless, however a large proportion of the ground floor element of the extension will not be seen by No.81 given the existing boundary treatments in situ which consist of a rendered wall and mature hedge. Similarly, the north side of the extension is also all but featureless aside a door that will access the newly formed kitchen.

9.14 Other Issues

- 9.15 Given the number of objections to the proposal it also seems appropriate to discuss the fall back position. Recent changes to the permitted development legislation allow for rear extensions of up to 6m in the case of semi-detached dwellings and are dealt with through the prior notification process. Although this proposal is for a two storey extension and therefore the prior notification procedure is not applicable, it is considered that the ground floor element (that has been of some concern given its size) could be constructed under the new legislation. In considering proposals that require planning permission, a pragmatic approach needs to be taken when considering their acceptability and if they could be built without the need for full planning permission.
- 9.16 The fact that the proposal may set a precedent is not considered to constitute sufficient grounds for refusal. Each property and proposal is judged upon its own planning merits; similarly the potential effect upon the market value of dwellings is not considered a material planning consideration and as such little weight can be given to this concern.

9.17 Conclusions

- 9.18 To conclude, Paragraph 14 of the Framework indicates that development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. In this case it is considered that the proposals would not be so harmful to the existing character and amenities of the surrounding area as to justify withholding planning permission. The living conditions of neighbouring occupiers would not be harmed by any substantial loss of privacy, sunlight or general outlook. In conclusion, it is considered that the requirements of the NPPF and Saved Local Plan Policy are met and that there are no reasonable grounds to withhold planning permission.

10 Recommendation

- 10.1 To grant planning permission subject to conditions.

Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.
2. The approved plans comprise 'Proposed Ground Floor Plan 238/5A' 'Proposed Loft Floor Plan 238/7A' 'Proposed First Floor Plan 238/6A' 'Proposed Sections 238/9A' 'Site and Roof Plan 238/11' received by the Local Planning Authority on the 19th June 2015 and Amended Drawings 'Existing First Floor Plan 238/3A' 'Existing Ground Floor Plan 238/2' 'Existing Elevations 238/4A' 'Proposed First Floor Plan and Elevations 238/10' Received on 21st 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.
Reason: To specify the permission and for the avoidance of doubt.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure that the proposed development is of a high quality and appropriate appearance in the interests of the visual amenities of the locality.

4. The detailing of the windows shall be of the same form of construction, materials and finish as those on the existing building.

Reason: In the interests of the appearance and character of the building.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no windows or doors other than those shown on the approved drawings shall be installed in the north elevation of the extension hereby approved.

Reason: To safeguard the residential amenities of the occupiers of adjoining property.

6. Prior to their first installation the ground floor and first floor windows in the north elevation of the side extension shall be fitted with obscure glazing (minimum Level 5 obscurity). The development shall be maintained with such obscure glazing at all times thereafter.

Reason: To protect the amenity of the occupants of the nearby residential properties and to accord with Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

Statement of Positive Engagement: -

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

- 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

WARD AND**APPLICATION No.****PROPOSED DEVELOPMENT AND SITE ADDRESS**

**GARGRAVE&
MALHAM
19/2015/15952**

*PROPOSED TWO STOREY SIDE AND REAR EXTENSION AND
ASSOCIATED ALTERATIONS*

STATION COTTAGE, STATION HOUSE, BELL BUSK.

APPLICANT NAME: MR C BAINES

TARGET DECISION DATE: 21/08/2015

CASE OFFICER: Natasha Szuszeko

The application has been called to Planning Committee at the request of Councillor Sutcliffe in view of the public interest and concern in the Parish.

1. Site Description

1.1 The application property is a two storey semi-detached cottage. Forming part of the former railway cottages the property retains much of its original character. To the side and rear is a reasonable sized parking area and garden, the property is also located within the Conservation Area of Bell Busk.

2. Proposal

2.1 The application seeks planning permission for the construction of a two storey side and rear extension.

2.2 Officer Note: Following discussion between the case officer and applicant's agent, amended drawings were received on 23rd July 2015. The amendments see the reduction in ridge height and the omission of a window on the side gable.

3 Planning History

3.1 5/19/63 – Proposed extension to dwelling at 2 Station Cottages – Approved 11th May 1992.

4 Planning Policy Background

4.1 National Planning Policy Framework (2012)

4.2 Saved Local Plan Policy H20 of the Craven District Council (Outside the Yorkshire Dales National Park Authority) Adopted Local Plan and Appendix F of that document.

5 Parish/Town Council Comments

5.1 Coniston Cold and Bell Busk Parish Council – Objection – Received 21st July 2015. The objection is summarised as follows;

5.2 The development is large in comparison to the main dwelling.....Due to its close proximity there will be a loss of light and privacy to Tudor House and the Garden of No.1.....The proposed glass doors are not in keeping....Car parking provision is not sufficient for a three bedroomed house and visitors....would result in an increase in demand on existing utility services....Business interruption for Tudor House during construction and possible loss thereafter due to loss of privacy and light.'

6 Consultations

6.1 Yorkshire Water Services – No comments received at the time of compiling this report.

6.2 Npower – No comments received at the time of compiling this report.

6.3 Electricity Northwest – No comments received at the time of compiling this report.

6.4 Officer Note: Technical consultations would not normally be required in the assessment of a householder application; however, following concerns from Tudor House the above utility companies were consulted.

7 Representations

7.1 Two letters of objection have been received, one from No.1 Station Cottages and one from Tudor House. Both objections are lengthy and contain some matters that cannot be dealt with through the planning process, therefore the objections have been summarised as follows.

7.2 No.1 Station Cottages

'Bell Busk is a Conservation Area and the proposal does not blend in with the adjoining property' Officer Note: Please see paragraph 9.8 for analysis.

'The roof appears out of proportion particularly as it is not stepped, we feel it is too large' Officer Note: The roof line has now been lowered as per the case officer request.

'The rear elevation extends too far out from the property and the glass doors are not in keeping' Officer Note: Please see paragraph 9.13 for analysis.

'The six roof windows overlook our garden which has been very secluded up until now' Officer Note: Please see paragraph 9.14 for analysis.

'The plans show the second floor to be a bedroom but are concerned this will be used as a lounge as views of the surrounding area can only be seen from upstairs' Officer Note: The second floor bedroom has no windows on the external elevations, only roof lights.

7.3 Tudor House

'Object to the application based on the scale of the proposal, the proximity between Tudor House and No.1 resulting in a denial of light and privacy' Officer Note: Please see paragraph 9.16 for analysis.

'A building of such a size will exceed the capacity of utility services' Officer Note: This is not considered to be a material planning consideration.

'Plans do not indicate how the development will be supplied with heating and hot water' Officer Note: This is not considered to be a material planning consideration.

'Access will be made more difficult constituting in over use and abuse of the applicants right of way across our property' Officer Note: This is considered a civil matter outside the control of the Local Planning Authority.

'The amount and type of construction vehicles will cause lasting damage to the access that links the property to the main road.' Officer Note: This is a considered a civil matter outside the control of the Local Planning Authority.

8 Summary of Principal Planning Issues

8.1 Visual impact of the proposed development upon the character and appearance of the Conservation Area.

8.2 Impact of the proposed development upon the privacy and amenity of neighbouring dwellings.

8.3 Other Issues.

9 Analysis

- 9.1 The main thrust of the National Planning Policy Framework is a presumption in favour of sustainable development. It is considered that sustainable development is indivisible of good design and that development should contribute positively for making places better for people. In turn, development should respond and make a positive contribution to the localities character and distinctiveness. This is supported by Section 72 of the Town and Country Planning (Listed Building and Conservation Area) Act 1990 whereby the Local Planning Authority should pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 9.2 In addition to National Policy the Council's Saved Local Plan Policy H20 states that planning permission should only be granted where the design, scale and appearance respect the original dwelling and would not have a detrimental impact upon the existing street scene.
- 9.3 Visual impact of the proposed development upon the character and appearance of the Conservation Area.
- 9.4 The application property is located within the Conservation Area of Bell Busk; the property is a semi-detached cottage that appears to have seen little external alteration retaining much of its original character.
- 9.5 The proposal will consist of a two storey side extension to the property, given that the existing property is relatively small the extension will provide additional accommodation in the form of an enlarged dining and kitchen area at ground floor, the first floor sees the provision of an additional bedroom and small study with the existing attic room benefitting from a bathroom.
- 9.6 Following discussions between the case officer and applicant's agent, the bathroom window that serves the attic bedroom has been removed and replaced with a roof light. It is considered that in doing so the west elevation appears more balanced. In addition, the ridge height of the extension has been lowered.
- 9.7 Given the location, there is no traditional 'street scene' as such; however the group of properties do contribute to the character of the surrounding area and are traditional in appearance. No. 1 Station Cottages has been extended to the side and rear with the property benefitting from a two storey side extension with accommodation in the roof space with the ground floor element being a single storey lean to style extension. Therefore, the cottages have not 'mirrored' each other for some time; usually semi-detached dwellings will have a certain degree of symmetry although this is more commonly found in formal urban housing layouts.
- 9.8 The extension will be constructed using matching materials to those used in the construction of the main dwelling house. A large proportion of the ground floor north and west elevation will be glazed to allow natural light into the newly formed kitchen area. This element of the extension is of a modern design but has incorporated the use of traditional materials. Whilst the proposal is a different design solution to that of the adjoining property its appearance is not considered to be visually unacceptable in comparison and as such the proposal will be judged upon its own merits.
- 9.9 Concerns have been raised regarding the scale of the development stating that the proposal significantly increases the footprint of the existing dwelling. Saved Local Plan Policy H20 advises that development should be of a design and proportion that respects the original property. It is not considered that the proposal is disproportionate to the main dwelling in terms of its appearance, the proposal has responded to the design criteria contained within Appendix F of the Local Plan Policy

document given that it is set back from the front wall of the dwelling with a lowered ridge height which demonstrates that it is an addition to the main dwelling.

- 9.10 Impact of the proposed development upon the privacy and amenity of neighbouring dwellings.
- 9.11 Consideration should be given to the potential impacts such a proposal can have upon immediate neighbouring or adjoining properties, Saved Local Plan Policy H20 states that development shall not have an unacceptable impact upon the privacy and amenity of neighbouring dwellings or result in an unacceptable loss of daylight or sunlight. The National Planning Policy Framework also places importance upon development providing a good standard of amenity for existing and future occupants of land and buildings.
- 9.12 Representations have been received from the adjoining property (No.1 Station Cottages) and neighbouring Tudor House which trades as a Bed and Breakfast. The comments are noted in detail at Paragraphs 7.1 – 7.3.
- 9.13 In responding to the general principles contained within Appendix F it is not considered that the proposal would lead to a significant loss of privacy or light to the adjoining dwelling taking the following into account; The extension has a continuous roof slope from the highest point (the ridge) to the lowest point (the eaves) with no break much like a cat slide roof; the ground floor element will extend from the rear wall of the dwelling by 4.3m with the neighbouring extension protruding from the rear wall by approximately 2.7m, a difference between the two of 1.6m. The proposal follows the existing eaves height (5.5m from ground level) with the roof slope extending out from that point, therefore the extension is not considered to have an overbearing or dominant impact upon the adjoining neighbour given the similar roof form and minimal protrusion forward of the extension next door. The extension is to the north of the property; therefore it is unlikely to result in a significant or unacceptable loss of daylight or sunlight to its adjoining neighbour.
- 9.14 Concern has also been raised by No.1 as regards the potential for overlooking into their garden. The garden area owned by No.1 wraps around the rear of the application property. It is considered that there is a degree of mutual overlooking in existence given that the existing first floor windows to the rear of the application property currently overlooks the garden area of No.1. The additional roof lights will serve a bedroom and bathroom, they are not considered to result in any further loss of privacy given their position than that already created and experienced by the existing rear windows.
- 9.15 In responding to those concerns raised by the neighbouring property, Tudor House, the proposed extension will be 3.6m away at its narrowest point (at an oblique angle) from Tudor House extending to 8.5m from the boundary when measured from the centre point of the extension. As the boundary tapers the extension is further away at the rear (a distance of 12 m) from the boundary with Tudor House. It is considered that the proposed extension is a sufficient enough distance from the boundary to avoid the development having an unacceptable dominating impact upon the neighbouring dwelling. As regards daylight and sunlight, the extension is proposed to the west elevation, therefore it will result in some shadowing of its own garden/parking area but it is not considered to result in a significant loss to habitable rooms of Tudor House.
- 9.16 The owners of Tudor House have also raised concerns regarding the potential dominating and overbearing impact upon their amenity space, this space is also available for residents of the bed and breakfast to enjoy. In considering applications for two storey side extensions, windows will not normally be permitted in side elevations which directly overlook habitable room windows in neighbouring

properties. In this case there are four windows proposed to the west elevation, two of which serve an upstairs landing and a ground floor wc, the others allowing natural light into a study and dining room. It is thought with the appropriate use of conditions two of the four windows would be obscure glazed. It is not considered that the potential overlooking from two of the four windows will result in a significant loss of privacy for the owners of Tudor House should they be in their garden area.

9.17 Whilst taking the general principles of Appendix F into account, the above is a detailed assessment of the potential impacts of the development upon the neighbouring properties. Having taken the representations into account it is not considered that the proposal will result in a significant detrimental impact upon their amenity as to warrant the refusal of planning permission.

9.18 Other Issues

9.19 Observations have been raised as regards the potential impacts of the proposal upon the existing utility services, access and business interruption. Yorkshire Water, Npower and Electricity North West were approached for comment following the objections raised by Tudor House; no comments have been received from them at the time of compiling this report.

9.20 Conclusions

9.21 To conclude, Paragraph 14 of the Framework indicates that development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. In this case it is considered that the proposals would not be so harmful to the existing character and amenities of the surrounding area or Conservation Area of Bell Busk as to justify withholding planning permission. The living conditions of neighbouring occupiers would not be harmed by any substantial loss of privacy, sunlight or general outlook. In conclusion, it is considered that the requirements of the NPPF and Saved Local Plan Policy are met and that there are no reasonable grounds to withhold planning permission.

10 Recommendation

10.1 To grant planning permission subject to conditions.

Conditions

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

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

2. The approved plans comprise 'Location Plan' 'Site Plan' 'Design and Access Statement' received by the Local Planning Authority on the 24th June 2015 and Amended Plan E-014 03 Rev A Existing and Proposed Elevations and Floor Plans received by the Local Planning Authority on 23rd 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.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no windows or doors other than those shown on the

approved drawings shall be installed in the west elevation of the extension hereby approved.

Reason: To safeguard the residential amenities of the occupiers of adjoining property.

4. Prior to their first installation the windows on the west elevation that serve the ground floor wc and first floor landing shall be fitted with obscure glazing (minimum Level 5 obscurity). The development shall be maintained with such obscure glazing at all times thereafter.

Reason: To protect the amenity of the occupants of the nearby residential properties and to accord with Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

5. The roof-lights hereby approved shall be 'Conservation' roof-lights which shall fit flush with the plane of the roof slope unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity of the building.

6. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building as indicated on the application form received by the Local Planning Authority on 24th June 2015.

Reason: To ensure that the proposed development is of a high quality and appropriate appearance in the interests of the visual amenities of the locality.

7. The development shall be finished externally with a natural blue slate roof, unless otherwise agreed in writing by the Local Planning Authority. The development shall be retained with such roof materials at all times thereafter.

Reason: In the interest of visual amenity of the building

Statement of Positive Engagement: -

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

- requested 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.