

## **PLANNING COMMITTEE**

21<sup>st</sup> November 2016

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

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

Apologies for absence were received from Councillors Baxandall, Heseltine, Pighills (substitute for Heseltine) and Rose.

Start: 1.40pm

Finish: 5.05pm

Councillor Harbron left the meeting at 4.31pm

Councillor Place left the meeting at 4.43pm

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

The minutes of the Committee's meeting held on 24<sup>th</sup> October 2016 were confirmed and signed by the Chairman.

### **Minutes for Report**

PL.808

#### **PUBLIC PARTICIPATION**

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

Application 21/2016/17019 : Mr H Rudden (for Cononley Hills Parish Council)

: Mr Cunningham (objector / for objectors)

: Mr J Ellis (for the applicant)

Application 68/2016/17240 : Mr M Lund (applicant)

Application 36/2016/17317 : Mr R Mather (objector / for objectors)

: Mr R Price (for the applicant)

Application 45/2016/17387 : Mrs D Foley (objector /for objectors)

: Mr L Binns (for the applicant)

Application 63/2016/17338 : Mr I Halton (for the applicant)

PL.809

#### **APPLICATIONS FOR PLANNING PERMISSION**

##### **a. Delegated Matters**

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

##### North Craven Area

08/2016/17319 Application to remove condition no 6 of original planning consent reference 5/8/559/C, West End Barn, Cross Lane, Low Bentham – Conditional approval.

08/2016/17365 Change of use of an agricultural building to a dwelling house under Class Q(a) (Prior Approval Notification), Oak Tree House, Bentham – Prior approval not required.

15/2016/17321 Replacement of old wooden garden shed with new timber summerhouse/shed; construction of traditional stone patio around front of sycamore tree; construction of post-and-rail fence and gate softened with native hedge to create gravelled parking area, Tatham House, 1 Low Street, Burton in Lonsdale – Approved.

15/2016/17344 Listed building consent for replacement of front door, Hollins House, 9 Duke Street, Burton in Lonsdale – Conditional approval.

31/2016/17363 Listed building consent for proposed works to listed walls and demolition of garden store, Well House, Bankwell Road, Giggleswick – Application withdrawn.

31/2016/17222 Detached garage with log store, The Chase, Bankwell Road, Giggleswick – Refused.

31/2016/17362 Construction of two detached dwellings with associated off street parking, Well House, Bankwell Road, Giggleswick – Application withdrawn.

42/2016/17328 Application to discharge condition no 3 of previously approved planning permission 42/2015/16308, 1-4 St Aidans Court, Gisburn Road, Hellifield – Conditional approval.

45/2016/17315 Single storey flat roof extension to rear to form garden room and wet room, single storey flat roof extension to gable to form garage, associated drop kerb on road for access and porch to front, 7 Burnmoor Crescent, Ingleton – Approved.

45/2016/17288 Replacement of existing single storey structure to front elevation, 7 Greta Cottages, Bank Bottom, Ingleton – Approved.

45/2016/17290 Outline application for residential development all matters reserved with the exception of highways, site at Raber Top, Raber Top Lane, Ingleton – Refused.

45/2016/17322 Siting of a timber storage unit, timber structure for composting toilet and associated landscape works, Langber End Lane, Ingleton – Conditional approval.

49/2016/17284 Proposed alterations and change of use to building to form a single, one bedroomed holiday cottage at the rear detached out building, Eldroth House, Eldroth Road, Austwick – Conditional approval.

49/2016/17282 Change of use of falconry and barn owl release centre to artisan cheese based visitor attraction comprising cheese maturing stores, tasting and cheese making / demonstration room, cheese based café, and retail cheese sales area. Continued occupation of the existing attached dwelling for purposes ancillary to the principal use of the site, Falconry Centre, Crow Nest Road, Austwick – Conditional approval.

49/2016/17124 The change of use and conversion of redundant barns into 2 dwellings and studio/workshop with associated gardens and parking, Lawkland Green Farm, Cross Streets Hotel to Paley Green Lane, Lawkland – Conditional approval.

49/2016/17251 Replacement of existing external door of the barn and replacement of side door of garage, Ravenshaw Barn, Ravenshaw, Austwick – Conditional approval.

62/2016/17323 Material amendment to planning approval 62/2016/14800 to change location of plots 16 and 17 formerly known as Ingfield Lane Plots 16 and 17, Brockhole View, Settle – Conditional approval.

62/2016/17324 Removal and relocation of the existing bin store and installation of a Type C external storage area to the south west elevation of the existing kiosk, Service Station, 9 Church Street, Settle – Conditional approval.

62/2016/17226 Application for variation of condition no 4 to previously approved application referenced 62/2010/11243, Dugdales Barn, Kirkgate, Settle – Conditional approval.

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

62/2016/17200 New front door, 6 Constitution Hill, Settle – Refused.

62/2016/17280 Replacement of existing windows and door, Cobblers Cottage, 15 Kirkgate, Settle – Approved.

62/2016/17193 Proposed replacement doors and UPVC windows 4 Halsteads Terrace, Duke Street, Settle – Approved.

62/2016/17203(LB) New front door, 6 Constitution Hill, Settle – Refused.

72/2016/16895 Application for the removal of Condition no. 9 (holiday occupancy condition) from original planning permission referenced 72/2004/4467 granted 26 July 2004, which granted permission for the refurbishment of the barn to form letting accommodation, extensions to barn to form swimming pool and shop, and extension, Crow Trees Public House to form function room and café, Apartments, Crowtrees Park, Tosside – Conditional approval.

#### South Craven Area

21/2016/17339 Conversion of conservatory to standard construction and extend first floor bedroom (resubmission of refused planning application reference 21/2016/16664) 5 Windle Lane, Cononley – Approved.

22/2016/17296 Listed building consent for proposed orangery, Carr Head Hall, Carr Head Lane, Cowling – Conditional approval.

22/2016/17225 Addition of floodlighting to approved menage, Green Syke Farm, Colne Road, Cowling – Refused.

22/2016/16909 Change of use of land to site 5 holiday caravans including the existing shepherd's hut currently used in connection with existing dwelling Squirrel Wood Cottage, Cowling – Conditional approval.

22/2016/17295 Proposed orangery, Carr Head Hall, Carr Head Lane, Cowling – Approved.

22/2016/17445 Proposed steel portal framed building for the purpose of secure storage of forestry machinery and tools (Prior Notification), Mill Cross Farm, Cowling Hill Lane, Cowling – Prior approval not required.

24/2016/17385 A mono-pitch steel framed building for storing hay and straw and other livestock feed (prior approval notification), New Laithe, track to New Laithe, Draughton – Prior approval not required.

32/2016/17342 Application for advertisement consent for 3 x internally illuminated logos, sign A, B, C; 1 x non-illuminated acrylic letters, sign D; 5 x non-illuminated wall mounted aluminium panels, signs E, F1, F2, G and H and 1 x vinyl applied to existing surface, sign I Co-operative Retail Services Ltd, 14 Main Street, Cross Hills – Conditional approval.

53/2016/17346 Application to remove condition no 1 of previously approved NYCC application referenced C5/53/2010/11136, Lothersdale Primary School, Lothersdale – Conditional approval.

53/2016/17250 Replacement of existing conservatory with solid construction to form new kitchen and entrance. Internal modifications and new windows and doors Hill Crest, Lothersdale – Approved.

56/2016/17255 Retrospective application to retain a block of two stables plus permission to surface an existing yard area using hard core for storage of bales and associated equipment, Wilkinson's Farm, East Marton – Conditional approval.

66/2016/17293 New gabion retaining wall to bottom of embankment following collapse, New Wychwood, West Lane, Sutton-in-Craven – Conditional approval.

66/2016/17306 Enlargement of house into barn to provide living room and bedrooms. Replacement window frames, whole house, to match existing pattern and double glazing, High Jackfield Farm, Dick Lane, Sutton-in-Craven – Conditional approval.

66/2016/17217 Single storey rear extension, 30 Woodturners Close, Sutton-in-Craven – Approved.

66/2016/17333 Listed building consent for enlargement of existing house into barn and replacement window frames, whole house, to match existing pattern and double glazing, High Jackfield Farm, Dick Lane, Sutton-in-Craven – Conditional approval.

69/2016/17186 Rear extension, Thornton Village Hall, Colne and Broughton Road, Thornton in Craven – Conditional approval.

69/2016/17214 Listed building consent for re-construction of unauthorised demolished Grade II listed dwelling and associated works Nuttercote Farm, Church Road, Thornton in Craven – Refused.

73/2016/17289 Application to discharge condition nos 4, 5, 7 and 8 of original planning consent reference 73/2016/17040 and condition no. 3 of original planning consent reference 73/2016/17035 Grange Hall and Cottage, Kildwick Grange, Skipton Road, Kildwick – Split decision.

73/2016/17400 Application for non-material amendment to previous planning application reference 73/2016/17144 to simplify the construction and improve appearance as per amended drawings, Cobblers Barn, New Lane, Silsden – Conditional approval.

#### Skipton Area

26/2016/17182 The installation of a 17.5 metre slim-line column supporting 2 No. antennas, 1 No. 0.6m dish, the installation of 2 No. equipment cabinets at ground level together with ancillary development required thereto, Embsay and Bolton Abbey Steam Railway – Conditional approval.

30/2016/17247 Sub-division of 5/6 New Brighton back into two cottages, 5 New Brighton, Gargrave – Conditional approval.

30/2016/17237 Resubmission of previously refused application (30/2016/16763) to install a twin walled flue pipe for a wood burning stove, Old Hall Croft Barn, 38a West Street, Gargrave – Approved.

30/2016/17287 Listed Building Consent to replace existing steel top lock gates with timber top gates. Lock 35 Leeds and Liverpool Canal between Gargrave and Bank Newton, immediately north of the Railway Viaduct, Gargrave – Conditional approval.

30/2016/17382 Application to discharge of condition No 4 of original planning consent reference 30/2016/16822, Gargrave House, West Street, Gargrave – Conditional approval.

63/2016/17196 Outline application with some matters reserved for demolition of existing workshops

and construction of 7no houses, Pendle Street Garage, Broughton Road, Skipton – Conditional approval.

63/2016/17224 Formation of first floor offices and welfare facilities and formation of external open fire escape, Unit 2 Union Business Park, Snaygill Industrial Estate, Skipton – Conditional approval.

63/2016/17260 First floor extension to existing canal side restaurant Baby Swan Restaurant, Rendezvous Hotel, Keighley Road, Skipton – Conditional approval.

63/2016/17302 Retrospective planning application to erect a storage building over the site of the existing concrete storage bunkers, Skipton Golf Club, Short Lee Lane, Skipton – Conditional approval.

63/2016/17291 Proposed loose material and general storage area on the site of part of the existing Environment Agency site compound plus access track to existing club roads, Skipton Golf Club, Short Lee Lane, Skipton – Conditional approval.

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

63/2016/17298 Change of use from retail to residential, 3-5 Water Street, Skipton – Conditional approval.

63/2016/17155 Application for variation of condition No. 2 of original planning consent reference 63/2011/11683 to amend the expiry date to 31st July 2019, Ermysted's Grammar School, Gargrave Road, Skipton – Conditional approval.

63/2016/17353 First floor side extension to provide additional study/bedroom over existing dining room, 1 Moorland Terrace, Sunmoor Drive, Skipton – Conditional approval.

63/2016/17294 Two storey side extension and single storey rear extension to existing dwelling, 7 Regent Crescent, Skipton – Approved.

63/2016/17303 Replace the concert hall windows from timber to aluminium and the layout of the external doors at the High Street entrance. Town Hall, High Street, Skipton – Application withdrawn.

63/2016/17336 Listed building consent for proposed replacement signage to the fascia, hanging sign and replacement vinyl to the rear of the glazing on the return elevation Clintons, 18 Sheep Street, Skipton – Conditional approval.

63/2016/17318 Application for advertisement consent for replacement signage; 1 no fascia sign, 1 no hanging sign and sheet vinyl (applied to rear of glazing), Clintons, 18 Sheep Street, Skipton – Conditional approval.

63/2016/17402 Proposed single story rear extension to provide dining room and office accommodation; measuring 6.9 metres beyond the rear wall; 2.5 metres in height from ground level; 2.5 metres in height to eaves from ground level, 240 Moorview Way, Skipton – Prior approval not required.

63/2016/17416 Application for non-material amendment to previously approved application referenced 63/2014/14723 to allow alterations to the position and configuration of the existing kitchen extraction/air input system, The Woolly Sheep Inn, 38 Sheep Street, Skipton – Conditional approval.

63/2016/17425 Application for certificate of lawful development for a proposed use being the

construction of rear dormer window, 48 Clitheroe Street, Skipton – Approved.

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

65/2016/17340 Application to vary condition no. 3 on original planning consents reference SN50/50 and 5/65/15 to amend the closed period on the park to be between 15th December and 6th February, Tarn House Holiday Park, Stirton – Conditional approval.

## **b. Applications**

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

### **Permission Granted**

**08/2016/17369 Reserved matters application for approval of details concerning appearance, landscaping and layout as reserved in outline consent reference 08/2015/15552, vacant site, Greenhead Lane, Low Bentham.**

#### Summary of Conditions

1. The approved plans comprise Plan Numbers 02 Rev F, 03 Rev E & 101 received on 22<sup>nd</sup> September 2016. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
2. The development shall not begin until full details of the existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in conformity with the approved details.
3. Prior to the first use of materials used in the external surfaces of the development hereby permitted samples shall be supplied and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:
  - a. The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:
  - b. An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/03 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works.
  - c. The developer's programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

The required highway improvements shall include provision of tactile paving and improvements to Greenfoot Lane [see indicative dwg 1012/101].

5. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 4.

- Improvements to Greenfoot Lane (see indicative dwg 1012/101)

#### Informatives

The developer should note that this planning approval is for reserved matters relating to outline planning permission Ref: 08/2015/15552 and that Condition no. 6 of that outline permission must be discharged.

The developer should note that Condition no. 6 of the outline planning permission (ref: 08/2015/15552) and condition 2 and 3 of the reserved matters approval (ref: 08/2016/17369) will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

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

**45/2016/17387 Construction of four detached dwellings with associated off street parking, land off Main Street, Ingleton** – subject to the conditions listed below and to an additional informative to be formulated by the Development Control Manager advising the applicant that, should consideration be given to the submission of an alternative proposal, it is the Committee's opinion that the site cannot accommodate more than four dwellings.

#### Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The approved plans comprise Plan Numbers
  - 1434DH/IVI/LP01 'Location Plan' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/CP-01 Rev C 'Constraints Plan' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/PL01 Rev C 'Planning Layout colour coded plan' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/PL01 Rev C 'Planning Layout' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/PB-01 Rev C 'Plot boundary Plan' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/P01 Rev B - SS 'Site Sections' received by the Local Planning Authority on the 30th September 2016.
  - 1434DH/IVI/P1-EL Rev B 'Elevation drawings for Plot 1' received by the Local Planning Authority on the 30th September 2016.

- 1434DH/IVI/P2\_4-EL 'Elevation drawings for Plots 2 & 4' received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P3-EL 'Elevation drawings for Plots 3' received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P1- DGP(E) 'Detached garages' received by the Local Planning Authority on the 30<sup>th</sup> September 2016.
- 1434DH/IVI/P1-FP Rev B 'Floor Plan for Plot 1' received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P3-FP 'Floor Plan for Plot 3' received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P1-FP 'Floor Plans for Plots 2 & 4' received by the Local Planning Authority on the 30th September 2016.

The development shall be completed in accordance with the approved plans including the insertion of the stone jambs, heads, cills and stone quoins except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

3. Notwithstanding the details indicated on the approved plans and supporting documents, prior to their first use details of all the materials, colour and finish to be used on the external elevations shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
4. Prior to the commencement of development, full details of the hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, means of enclosure (including the walls surrounding the turning yards) and hard surfacing materials. The development shall be undertaken in accordance with the approved details and shall be maintained at all times thereafter.
5. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
  - a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
  - b. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
  - c. Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
  - d. That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
  - e. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
  - f. The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.



6. 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 both channel lines of the major road Laundry Lane Ingleton 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.

7. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Main Street Ingleton 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.

8. Notwithstanding the provision of any Town and Country Planning General Permitted Order 2015 or any Order revoking or re-enacting that Order, the areas shown on Planning Layout for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

9. Foul and surface water shall be drained on separate systems.

10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

11. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and

b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

12. Development shall not commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Informatives

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH. The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity. The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office. Bookshops, and advised to follow the guidance given. The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications. Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website <http://www.enwl.co.uk/our-services/know-before-youdig!>

It is recommended that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

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

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

No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the Country Council's Access and Public Right of Way Manager at County

Hall, Northallerton on 0845 8 727274 to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining. Further information is also available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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

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

**63/2016/17338 Residential development of four 2 bedroom, three person starter homes, land adjacent to 50 North Parade, Skipton** – subject to the following conditions, and an additional condition to be formulated by the Development Control Manager requiring submission of details of the siting / provision for the siting of wheeled bins for the proposed dwellinghouses.

#### Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The approved plans comprise Plan Numbers
  - 02 Rev A received by the Local Planning Authority on the 26<sup>th</sup> October 2016.
  - 03 Received by the Local Planning Authority on the 12<sup>th</sup> October 2016.
  - 04 Received by the Local Planning Authority on the 26<sup>th</sup> October 2016.

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

3. Notwithstanding the details indicated on the approved plans and supporting documents, prior to their first use details of all the materials to be used on the external elevations shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

4. Prior to the first use, full details of the materials to be used within the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the walls surrounding the dwellings and hard surfacing materials. The development

shall be undertaken in accordance with the approved details and shall be maintained at all times thereafter.

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

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

- 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 «distance» 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.

7. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015 (as amended), or any subsequent replacement order, the areas shown on 923/02 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

#### 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.

The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

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

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

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

**63/2016/17332 Application to vary condition no 2 of previously approved application referenced 63/2014/14902 to allow extended opening hours, Town Hall, High Street, Skipton.**

Summary of Conditions

1. The changes of use hereby permitted shall be begun not later than 23 September 2017.
2. No A3/A4 use within the development shall be open for business on any day of the week outside of 0800 to 2400 hours.

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

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

**68/2016/17240 Proposed touring caravan site including erection of amenity block, Lund Holme Farm, New Road, Ingleton** – subject to appropriate conditions to be formulated by the Development Control Manager covering, for example, materials, landscaping and occupancy, but not including any requirement to improve the access with the A65.

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

**Delegated Authority**

**21/2016/17019 Redevelopment of former mill site to include the conversion and extension of mill building to provide 46 apartments, restoration of existing house attached to the mill building, 1,445sqm of new B1 commercial floorspace and 46 dwellings on the remainder of the site, Station Works, Cononley Lane, Cononley** – the Development Control Manager was authorised to approve this application subject to the conditions listed below, such conditions to be amended to state that all the houses should be constructed in stone, not a mix of stone and render, and to the applicant first signing a Section 106 Planning Obligation to secure a contribution towards open space provision and affordable housing provision.

Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The approved plans comprise drawing nos. (000) 200 E, (000) 201 D, (000) 202 c, (000) 203 D, (000) 204 B, (000) 205 A, (000) 300 A, (000) 301 B, (000) 302 A, (000) 303 A, 102, 110, 2A-200, 2A-300, 3A-200 A, 3A-300 A, 4a-200 A, 4a-300 A, 6A-200, 6A-300, 7619 Design and Access Statement, A1 – 200 A, A1 – 300 A, A4- 200, A4- 300 A, A5 – 200, A5 – 300, C1-200, C1-300, G1- 200, G2- 200, G3- 200 A, H 47- 200, H 47- 300, M1 -200 A, M1 -300 A, M3 -200 A, M3 -300 A, M3a- 200 A, M3a- 300, M4 -200 A, M4 -300 A, M4a- 200, M4a- 300, M4b- 200, M4b- 300, M4c-200, M4c-300, M5 -200, M5 -300, M5a- 200, M5a- 300, M5b- 200, M5b- 300, M5d- 202, M5d- 203, M5d- 204, M5d- 205 A, M5d- 206, M5d- 207, M5d- 208, M5d- 302, M5d- 303, M5d- 304, M5d- 305 Am, M5d- 306, M5d- 307, M5d- 308, S- 400, S- 401, Type 4- 200 and Type 4- 300, received by the Local Planning Authority on the 2 June 2016. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non material amendment.
3. Prior to the first use of any external materials of construction for the walls and roof of the development hereby approved details shall be submitted for the written approval of the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved details.
4. No development shall commence until details of the landscaping of the site including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of not less than 10 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted.
5. Prior to the commencement of development a Phase II Intrusive Site Investigation report shall be commissioned and should remediation be required development shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
6. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority. The Validation Report shall be prepared in accordance with current best practice. The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales.
7. 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 footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

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

8. 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.

9. Other than for the purposes of creating the temporary access no vehicles shall be allowed onto the construction site. Once created no vehicles shall access the site except via the approved temporary access as shown on Drawing Reference drawing number C161061 303. The access shall be constructed in accordance with details approved in writing by the Local Planning Authority in consultation with the Highway Authority for a minimum distance of 20 metres into the site. Any damage to the existing adopted highway occurring during use of the access until the completion of all the permanent works shall be repaired immediately.

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

- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- b. Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- c. That part of the access(es) extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1/12.
- d. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- e. The final surfacing of any private access within 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.
- f. 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.

11. 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 45m measured along both channel lines of the major road Cononley Lane from a point measured 2.4m 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.

12. 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.

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

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

The required highway improvements shall include:



a. Provision of tactile paving

b. Works shown on drawing C161061 303 P2 (includes footway widening to 1.5m, crossing points and yellow lines as determined by the highway authority)

14. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 9: Works shown on dwg C161061 303 P2 (includes footway widening to 1.5m, crossing points and yellow lines as determined by the highway authority).

15. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas.

a. have been constructed in accordance with the submitted drawing (Ref: drawing number 7619/102 H)

b. are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

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.

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.

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

a. the appointment of a travel co-ordinator

b. a partnership approach to influence travel behaviour

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

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

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

f. improved safety for vulnerable road users

- g. a reduction in all vehicle trips and mileage
- h. a programme for the implementation of such measures and any proposed physical works
- i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

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

20. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. HGV routing to avoid the village.

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

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

22. All surface and foul water arising from the proposed works shall be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways shall be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

- a. There shall be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

b. Attenuation ponds, next to the railway, shall be designed by a competent specialist engineer and shall include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

23. A safety barrier shall be located in positions to be approved in writing by the Local Planning Authority in consultation with Network Rail where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision shall be made at each turning area/roadway/car parking area adjacent to the railway.

24. Prior to the first occupation of the site a suitable trespass proof fence adjacent to Network Rail's boundary at a minimum height of 1.8 m shall be erected and thereafter retained.

25. Prior to the construction of plots 23-32 of the development hereby approved details of means of soundproofing of the properties from noise from the railway shall be submitted for the written approval of the Local Planning Authority and thereafter the dwellings shall be constructed with the approved soundproofing.

26. Prior to the installation of any external lighting (including Street Lighting and colour of lighting) details shall be submitted for the for the written approval of the Local Planning Authority and thereafter installed and retained in accordance with the approved details

#### Informatives

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority o 0345 762 6848. It should be noted that this site may lie in an area where a current licence exists for underground coal mining. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

To safeguard the living conditions of nearby residents from noise operating times for construction should be limited to:-

08.00 18.00 Monday to Friday;  
08.00 to 13.00 Saturday;  
No Bank Holiday or Sunday working.

The developer needs to have regard to BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings

As the development is in close proximity to the railway, it may be affected by vibration an assessment of the potential impact should be carried out by a suitably qualified person in accordance with BS6472-1:2008

Prior to the commencement of the development, the developer shall submit a Dust Management Plan in writing for approval of the Local Planning Authority. The Dust Management Plan should identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use.

Prior to the importation of topsoil, details of the supplier and confirmation on the source(s) of any soil material should be supplied to the Local Planning Authority for approval. The soil should be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2007 - Specification for Topsoil and requirements for use.

Regard should be had for the safe removal of any potential asbestos containing material present on site. The applicant should ensure removal of any such material is carried out by a suitably qualified, competent contractor/registered waste carrier, licenced in the removal and offsite disposal of asbestos to a registered hazardous waste landfill site.

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network RAILS infrastructure or railway land. Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, the access over the adjacent level crossing must remain clear and unobstructed at all times during and after construction with to ensure that vehicles and pedestrians are able to exit the crossing unimpeded.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

#### Discharge of Condition(s)

1. The developer should note that Condition Nos 4,5,7,8,9,21 and 22 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

2. With regard to Condition No3 above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.

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

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

**36/2016/17317 Retrospective application for the retention of 1 no wtn 250kw wind turbine with a tip height of 45m including vehicular access and associated apparatus, West Thornber, Wigglesworth** – the Strategic Manager for Planning and Regeneration was authorised to approve this application subject to the conditions listed below and to the applicant first signing a Section 106 Planning Obligation to ensure that the applicant does not oppose or seek compensation for the revocation of Planning Consent Ref 36/2014/14934.

#### Summary of Conditions

1. The approved plans comprise:

- Drawing Nos 109043-001A, M109043-002A, and 109043-004A received by the Local Planning Authority on 15th September 2016.
- The West Thornber Landscape and Visual Appraisal produced by FPCR and received by the Local Planning Authority on 15th September 2016.
- Drawing Nos 250-00-30-300 (pages 1 & 2) received by the Local Planning Authority on 5th September 2016.
- The West Thornber Ecological Assessment produced by Avian Ecology, The West Thornber Noise Survey and Impact Assessment produced by Philip Dunbavin Acoustics Ltd, and the Planning, Design and Access Statement received by the Local Planning Authority on 5th September 2016.

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

2. Within 25 years of the date of this planning permission, the turbine shall be permanently removed and a scheme for the restoration of the site to its former condition shall have been submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in accordance with a timetable approved within the scheme for the restoration of the site.

3. If the turbine hereby permitted fails to produce any electricity for a continuous period of 6 months the operator of the development shall notify the local planning authority in writing no later than one month after the end of that period. The wind turbine and its associated equipment shall be removed from the site no later than 12 months from the end of that period, and the site restored, in accordance with a decommissioning and restoration scheme, including a timetable for its implementation, which shall have been submitted to the local planning authority for written approval not later than 3 months after the date of the notification to the local planning authority.

#### Informative

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0845 1300 228

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

(As Chairman of Ribblesbanks Parish Council which had objected to the above application, the Chairman, having considered possible perception of a conflict of interest, declared an interest under Appendix B of the Members' Code of Conduct, he withdrew to the public gallery taking no part in the determination. Councillor Dawson took the Chair.)

(Councillor Mason informed the Committee that the applicant was known to him, but not to such a degree that he considered it would impair his ability to participate in determination of the above application.)

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

(SV indicates site visit held.)

PL.810

**PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 1<sup>st</sup> to 31<sup>st</sup> October 2016.

**Minutes for Decision**

- None -

Chairman.

Development Control Manager : Resignation – In closing the meeting the Chairman reminded Members that having tendered his resignation, the meeting would be Ian Swain's last as the Council's Development Control Manager; on behalf of all members of the Committee he thanked Mr Swain for all his work, help and advice in his time with the Authority and wished him well in his future career.