

conditions listed below and to the provisions of the Section 52 Planning Agreement which relate to the premises not being enforced from the date of this consent.

Summary of Conditions

1. The development hereby permitted shall not be carried out other than wholly in accordance with Drawing No's 253/2, 253/3 & 253/4 received by Craven District Council on the 20 November 2012 unless otherwise agreed in writing by the Local Planning Authority.
2. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on site and roof plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
3. No occupation or use of the dwelling independently from 74 High Street shall take place until the windows on the south western elevation have been fitted with obscure glazing (minimum Level 5 obscurity). The development shall be maintained with such obscure glazing at all times thereafter.
4. The flat roof of the single storey building shall not be used to provide amenity space for the occupants of the application premises.

Reasons for Approval

The proposed use of the premises as an independent dwelling is considered to be acceptable in principle, and subject to conditions would not give rise to any unacceptable effects with respect to residential amenity, visual amenity, and highway safety. The development is considered to meet the policy objectives of both the Adopted Craven (Outside the Yorkshire Dales National Park) Local Plan and 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 NPPF.

34/2012/13074 Extension of ice cream parlour, change of use to indoor play space and creation of covered play space with extension of site to accommodate tree screening, retrospective application for extension to car park, Calm Slate Farm, Holme Lane, Halton East – subject to the conditions listed below and to the signing of a deed of variation to modify the existing Section 106 Agreement regarding these premises to ensure it also applies to the development now approved.

Summary of Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall not be carried out except in accordance with the details shown on the following approved plans and drawings: Plan No.598-06 submitted to the Local Planning Authority on 2 November 2012; and amended Plan No's 598/08A, 598/09A, and 598/10A, submitted to the Local Planning Authority on 16 January 2013.
3. The proposed tree planting shall be carried out in accordance with the approved details shown on Drawing No. 598/06 and the tree survey report [by Andrew Durham (Architect) dated October 2012], accompanying the planning application, and shall be implemented during the first planting season following completion of the development hereby permitted and shall thereafter be retained and maintained as such. Any trees or shrubs planted in accordance with this condition shall, in the event of their death within 5 years from their date of planting, be

replaced by similar specimens as soon as is practicably possible and no later than the end of the planting season following their death.

4. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing No. 598/06 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

5. No external lighting shall be installed without the prior approval in writing of the local planning authority.

6. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those of the existing parlour building with the exception of the proposed east elevation which shall be clad in timber, in accordance with Drawing No. 598/09A, and retained in a natural finish.

Informatives

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 Way Manager at County Hall, Northallerton on 0845 8727374 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.

This development is subject to the signing of a deed of variation to the existing agreement signed before the decision notice on Planning Application Reference 34/2008/8384 was issued. (made under the provisions of Section 106 of the Town and Country Planning Act 1990) between the applicant, landowner and Craven District Council and which sets out the controls and restrictions of use.

Reasons for Approval

The proposed development will provide additional facilities at an established tourist attraction in a rural area, and will form sustainable economic development which accords with the National Planning Policy Framework, the Good Practice Guide on Planning for Tourism, and the provisions of Saved Policies ENV1 and ENV2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan. There is no evidence that the development will adversely affect the visual amenities and character of this rural area, would lead to conditions detrimental to the amenities of the occupants of the nearby dwellings, or prejudice highway safety in the locality. It is therefore concluded that there are no reasonable grounds to justify withholding planning permission.

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

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

(Councillor Heseltine informed the Committee that the Chairman of Halton East Parish Meeting, to whom he was related, had objected to the application, he also had a family connection with the owners of Hesketh Farm Park, and had also undertaken work for the applicant. Although he had no financial interest he was aware of public perception and would therefore take no part in the discussion or voting on this application.)

Craven District Council

(Councillor Hart informed the Committee that his son had a business relationship with the applicant, he declared a prejudicial interest in the application and left the room during the discussion and voting thereon.)