



## **CRAVEN DISTRICT COUNCIL**

### **PLANNING COMMITTEE – SITE VISIT**

12<sup>th</sup> February 2018

#### **AGENDA**

Please note that the Committee will visit the following site(s) on Monday, 12<sup>th</sup> February 2018. Members are asked to meet at **Site A at 11.15am**, or alternatively at the Belle Vue Square Offices car park **no later than 11.00am**.

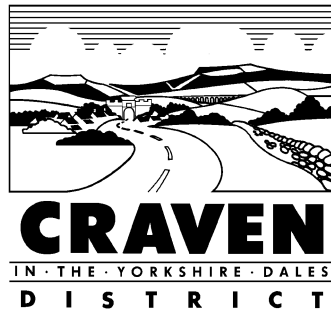
- a. **63/2016/17313 Full application for the erection of 98 dwellings, Aldersley Avenue, Skipton, BD23 2LH. (Skipton East Ward) (meet at Aldersley Avenue Garage Site)**
- b. **2017/18237/OUT Outline application for a residential development of up to 140 dwellings with associated infrastructure and open space (access applied for with all other matters reserved) land at Hawbank Field, Skipton. (Skipton East Ward) Approximately 11.55am. (meeting point as indicated on site location plan)**

Following the site visits refreshments will be available at the Belle Vue Square Offices.

Agenda Contact Officer:  
Chris Waterhouse, Committee Officer  
Tel. 01756 706235  
Skipton, 2<sup>nd</sup> February 2018.

## **Planning Committee Site Visit Procedure**

- A. On arrival, the Chairman will call the Members of the Planning Committee, any Ward Representative(s) and others invited to be present to order. The Chairman will explain the purpose of the site visit so that all are aware that it is a fact finding exercise only and that no decision will be taken until the Committee meeting.
  - B. The Chairman will then ask the appropriate officer to describe the proposal to Members, identify relevant features of the site, and raise the principal planning considerations. The Officer may also draw Members' attention to the relevant points regarding objections/observations received.
  - C. The Chairman will then ask any other officer, e.g. Highways Officer, Environmental Health Officer, to address the Members.
  - D. Members will then be invited through the Chairman to ask any questions or seek clarification of facts from the Officers present. Members should not direct these questions to the applicant or others present. Any matters not to hand will be reported at the Committee meeting. Discussion on the merits of the application will not be permitted, and Members should refrain from making comments on the proposal.
  - E. A representative of the Parish or Town Council or Parish Meeting will be invited to advise Members on matters of fact relating to the application site.
  - F. The applicant and others present will not be allowed to speak unless he or she is specifically asked by the Chairman or a senior officer to
    - point out particular matters on site, or
    - to clarify or respond to Member's questions in respect of particular factual matters, relevant to the site of the planning application/planning matter.
- Applicants/agents will be given prior notice of the time and date of the site visit.
- G. When the Chairman considers that the purpose of the site visit has been achieved, (s)he will declare the site visit finished and Members will promptly leave the site.
  - H. Whilst conducting the site visits Members will have due regard to the health and safety of themselves and others and will follow appropriate safety instructions on site, including any guidance on parking and access. Under no circumstances will Members or Officers enter a site without wearing the appropriate safety equipment (if any) required.
  - I. A note will be taken by the appropriate officer of those present at each site visit.
  - J. Members should be aware at all times that site visits mainly take place on privately owned land. They should be careful not to damage any property or do anything that may cause problems for or distress to the landowner.
  - K. Where arrangements have been made for a site visit to take place on land which does not form part of the specific area under consideration/application site, the appropriate officer will have sought the necessary permission from the occupier of that land in writing.



## PLANNING COMMITTEE

**1.35pm on Monday, 12<sup>th</sup> February, 2018**  
**Belle Vue Suite, Belle Vue Square Offices, Skipton**

**Committee Members: The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Brockbank, Harbron, Heseltine, Hull, Lis, Morrell, Place, Rose, Shuttleworth and Thompson.**

### Agenda

1. **Apologies for absence and substitutes**
2. **Confirmation of Minutes** – 15<sup>th</sup> January, 2018.
3. **Public Participation** – In the event that any questions/statements are received or members of the public wish to ask questions or address the Committee **in respect of matters not appearing on this agenda**, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “**disclosable pecuniary interest**” under Appendix A to the Council’s Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Schedule of Plans** – Attached. The schedule is comprised of the following:-
  - (a) Applications to be determined by the Committee.
  - (b) Details of applications determined by officers under the Scheme of Delegation.
  - (c) Enforcement - New complaints registered / complaints closed.

If Members have any queries regarding individual applications dealt with under the Scheme of Delegation, or if they have any queries regarding an enforcement matter, they are asked to consider contacting Neville Watson, Development Control Manager (email: [nwatson@cravenc.gov.uk](mailto:nwatson@cravenc.gov.uk), telephone: 01756 706402)

6. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer: Chris Waterhouse  
Tel. 01756 706235, E-mail [cwaterhouse@cravendc.gov.uk](mailto:cwaterhouse@cravendc.gov.uk)  
2<sup>nd</sup> February 2018.

### **Recording at Council Meetings**

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to

- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

### **Emergency Evacuation Procedure**

In case of an emergency or if the alarm sounds, leave the committee room and leave the building using the nearest available door. The assembly point is in the main square at the front entrance. An officer will take a roll call at that point. Please do not leave without telling the Chairman or the Democratic Services Section's representative.

## PLANNING COMMITTEE

15<sup>th</sup> January 2018

**Present** – The Chairman (Councillor Sutcliffe) and Councillors Brockbank, Harbron, Heseltine, Hull, Lis, Morrell, Place, Shuttleworth and Thompson.

**Officers** – Legal Services Manager, Planning Manager, Principal Planning Officer, Planning Assistant and Committee Officer.

Ward Representatives : Councillors Brown (Application 2017/18492/OUT), Dawson (Application 2017/18340/FUL), Jaquin ( 63/2016/17313) and Whitaker (Application 2017/18661/FUL).

Apologies for absence were received from Councillors Baxandall and Rose.

Start: 1.40pm

Finish: 4.38pm

Councillor Brockbank left the meeting at 4.15pm.

The minutes of the Committee's meeting held on 18<sup>th</sup> December 2017 were confirmed and signed by the Chairman.

## Minutes for Report

PL.851

## PUBLIC PARTICIPATION

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

Application 32/2016/17097 : Mr G Holmes (objector)  
: Ms A Oakden (for the applicant)  
Application 63/2016/17313 : Mr C McGrath (objector / for objectors)  
: Mr L Herring (for the applicant)  
Application 2017/18492/OUT : Mr R Clark (for the applicant)  
Application 2017/18704/FUL : Mr D Claxton (for objectors)  
: Mr C Binns (for the applicant)  
Application 2017/18661/FUL : Mr M Webb (applicant)

PL.852

## APPLICATIONS FOR PLANNING PERMISSION

### **a. Delegated Matters**

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission which had been dealt with under delegated authority:-

2017/18305/HH Demolition of existing single storey extension and garage and construction of new two storey extension and garage, 3 Queen Street, Cowling - Approved with Conditions

2017/18458/CND Discharge of condition 2 of listed building consent 62/2017/17901 relating to the proposed security lighting and cameras to rear of building, The Folly, Victoria Street, Settle - Condition satisfactorily discharged.

2017/18463/FUL Proposed single storey residential annexe to Intake Farm involving conversion of existing outbuildings along with new build/extensions, Intake Farm, off Park Lane, Cowling - Approved with Conditions.

2017/18500/HH First floor rear extension (re-submission of application ref 63/2017/18054), 11 Greatwood Avenue, Skipton - Approved with Conditions.

2017/18540/CND Application to discharge condition nos 3, 4, 5 and 6 of planning consent reference 2017/18416/VAR, Craven College Aireville Campus, Gargrave Road, Skipton - Conditions satisfactorily discharged.

2017/18552/HH Proposed rear single storey extension, solid construction to existing utility, new window openings and velux windows, Croft House, 1A Shires Lane, Embsay - Approved with Conditions.

2017/18555/FUL New triple garage, Park Cottage, Park Lane, Cowling - Approved with Conditions.

2017/18557/HH Retrospective permission for timber clad summer house, 1 Ivy House Cottages South Street, Gargrave - Refused

2017/18568/COU Change of use of land adjacent to existing developed caravan park to permit the siting of 11 additional static caravans at The Trees Caravan Park, Westhouse, Ingleton - Approved with Conditions

2017/18580/HH Proposed two storey side extension with single storey rear extension, 28 West Lane, Embsay - Approved with Conditions.

2017/18613/VAR Application to vary conditions 7 and 8 of previous approval 32/2015/16220, Burnroyd Avenue, Cross Hills - Approved with Conditions.

2017/18595/HH Proposed single storey rear extension and first floor side extension, 14 Manor Close, Burton in Lonsdale - Approved with Conditions.

2017/18624/CND Application to discharge conditions 3 and 5 of planning permission 63/2017/18025, Pitch and Putt, Aireville Park, Gargrave Road, Skipton - Conditions satisfactorily discharged.

2017/18619/HH Single storey extension to rear of the property and demolition of two rear ground floor windows, ground works and a section of the garden wall, 2 Tillotsons Court, Meadow Lane, Cononley - Approved with Conditions.

2017/18617/FUL Extension to existing warehouse and formation of additional car park, Unit 5 Enterprise Way, Airedale Business Centre, Skipton - Approved with Conditions.

2017/18628/FUL Construction of former dwelling at Nuttercote Farm, Nuttercote Farm, Church Road, Thornton in Craven – Refused.

2017/18629/LBC Construction of former dwelling at Nuttercote Farm, Nuttercote Farm, Church Road, Thornton in Craven – Refused.

2017/18630/CND Application to discharge condition no 3 of original planning consent reference 2017/18352/VAR, Skipton Golf Club, Short Lee Lane, Skipton - Condition satisfactorily discharged.

2017/18638/LBC Installation of air source heat pumps and timber screen enclosure, Higher Jackfield Farm, Dick Lane, Sutton-in-Craven - Approved with Conditions.

2017/18645/TPO T1 - Horse Chestnut - crown lift to 4.5m all round and crown thin by 20%. T2 - Sycamore - crown lift to 4.5m all round, T3 - Horse Chestnut - crown lift to 4.5m all round and crown thin by 20%, Crossroads Barn, Stirton Lane, Stirton - Approved tree work under tree preservation order.

2017/18656/FUL Erection of 8 semi-detached dwellings (Phase 1), former allotments and garages, Broughton Road, Skipton - Approved with Conditions.

2017/18640/HH Proposed conservatory and extension to rear, Stott Fold Farm, Cowling Hill Lane, Cowling - Approved with Conditions.

2017/18641/LBC Proposed conservatory and extension to rear, Stott Fold Farm, Cowling Hill Lane, Cowling - Approved with Conditions.

2017/18648/HH Extension to farm house to incorporate external WC and store in the yard to form a utility/cloakroom area on the ground floor and the extension of an upstairs bedroom above, Heslaker Farm, Heslaker Lane, Carleton - Approved with Conditions.

2017/18650/HH Single storey extension to provide sunroom, Giffords, Wenning Bank to Reebys Lane, Clapham - Approved with Conditions.

2017/18651/HH Two-storey side extension to provide additional bedroom over kitchen and garage (resubmission of refused application reference 2017/18177/HH), 2 Old Hall Croft, Gargrave - Approve with Conditions

2017/18659/FUL Demolition of existing dwelling and erection of replacement bungalow, 10 Walton Avenue, Gargrave - Approved with Conditions.

2017/18660/FUL Forming new roof over existing livestock pens and extending existing roof to form canopy, Bentham Auction Mart, 3 Main Street, High Bentham - Approved with Conditions.

2017/18666/COU Change of use of first floor from residential flat to mortgage brokers (use class A2), 1 Elliot Street, Skipton - Approved with Conditions.

2017/18662/FUL Retrospective permission for the retention of smoke vent and cowled roof vent to rear roof slope, 4 - 6 High Street, Skipton - Approved with Conditions.

2017/18663/LBC Retrospective permission for the retention of smoke vent and cowled roof vent to rear roof slope, 4 - 6 High Street, Skipton - Approved with Conditions.

2017/18664/OUT Outline application with all matters reserved for the construction of 1 dwelling, land west of Mell Brae, Rathmell – Refused.

2017/18674/COU Change of use of premises from A1 (retail) to A4 (drinking establishments), 16 Otley Street, Skipton - Approved with Conditions.

2017/18671/HH Proposed dormer windows, 4 Holmroyd Avenue, Holme Lane, Sutton-in-Craven – Refused.

2017/18677/FUL Replacement of existing metal framed windows with new UPVC windows, Driver Vehicle Standards Agency, Foundry House, Carleton Road, Skipton - Approved with Conditions.

2017/18681/HH Proposed single storey side extension, Lingcroft, Baxter Wood, Cross Hills - Approved with Conditions.

2017/18683/FUL Construction of agricultural farm building to accommodate animals and machinery, Higher Stone Head Farm, Cowling - Approved with Conditions.

2017/18684/HH Two storey rear extension, 35 Marshfield Road, Settle - Approved with Conditions.

2017/18685/HH Two storey rear extension to provide additional bedrooms with en-suite over new kitchen (resubmission of application reference 30/2016/17367), 22 Skipton Road, Gargrave - Approved with Conditions.

2017/18686/HH Two storey rear extension, 24 Skipton Road, Gargrave - Approved with Conditions.

2017/18690/HH Proposed conservatory and other associated alterations, 19 Lords Close, Giggleswick – Refused.

2017/18691/CPL Certificate of lawfulness (proposed use or development) for change of use of Retail Unit (Use Class A1) to Estate Agent (Use Class A2), 12 High Street, Skipton - Application withdrawn.

2017/18692/MMA Application to vary condition no 2 relating to the approved plans of original planning consent reference 2017/18264/HH, 63 Shortbank Road, Skipton - Approved with Conditions.

2017/18693/HH Single storey side extension with first floor balcony above, 21 Newton Way, Hellifield - Approved with Conditions.

2017/18695/TCA T1 and T2 - Sycamore. Remove dead wood and thin crown by 5% T3 - Lime - Remove dead wood and epicormic shoots, G1 - 3x Paperbark Birch, crown lift to 4m, Dyneley House Surgery, Newmarket Street, Skipton - Approved tree works in conservation area.

2017/18696/TCA T1 - Silver Birch. Reduce height and spread by 15% to old cuts, 5 Marton Close, Gargrave - Approved tree works in conservation area.

2017/18700/CND Application to discharge condition no's 3 (Written Statement of Investigation - Archaeologist), 5 (External materials) and 6 (Windows and doors) of original planning permission referenced 2017/18170/FUL approved 22/09/2017, The Barn, Peel Green, Hellifield - Conditions satisfactorily discharged.

2017/18701/TCA T1 - Larch - Fell. T2 - Robinia - Fell, The Bay Horse Inn, Ravens View, Ellers Road, Sutton-in-Craven - Approve tree works in conservation area.

2017/18703/TPO T1 - 5 Larch - Remove group of 5 trees, land to south west of Skelton Industrial Park, Hardings Lane, Cross Hills - Approved tree work under tree preservation order.

2017/18708/CPL Certificate of lawfulness (proposed) for rear dormer extension, 22 Gisburn Street, Skipton - Certificate of Lawful Development approved.

2017/18713/CND Application for partial discharge of condition no 2 of original planning consent reference 32/2015/15768 with regard to roofing materials for plots 4 to 29, land to east of Green Lane, Glusburn - Condition satisfactorily discharged.

2017/18718/OTHERS Prior approval for change of use from retail (use class A1) to creperie and coffee shop (use class A3) under Schedule 2, Part 3, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015, 6 Swadford Street, Skipton – Prior notification approval.

2017/18719/OFFRES Prior approval for change of use of existing offices (use Class B1(a)) to 26 apartments (use class C3) under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015, Cavendish House, 12 Newmarket Street, Skipton – Prior notification approval.

2017/18721/CND Application to discharge conditions 3, 4, 5 and 7 of planning permission referenced 63/2015/16296 approved 16/02/2016, Waller Hill Beck, Ginnel Mews, Devonshire Place, Spindle Mill and Morrisons, Skipton - Conditions satisfactorily discharged.

2017/18724/HH Proposed car port and garden room, 10 Hazel Grove Road, Sutton-in-Craven - Approved with Conditions.

2017/18726/HH Two storey side and rear extension, single storey rear extension with conservatory and the erection of a detached garden room, 63 Shortbank Road, Skipton – Refused.

2017/18727/TCA T1 Maple, Crown lift to 3m reduce height and spread of tree by 2m, 17 Raines Court, Giggleswick - Approved tree works in conservation area.

2017/18731/TPO T1 Self Seeded Ash – Fell, Ex Service Mens Flat, Bell Horse Gate, Bank Bottom, Ingleton - Approved tree work under tree preservation order.

2017/18755/OTHERS Change of use from shop to cafe/restaurant, 18 - 20 Coach Street, Skipton - Prior approval granted.

2017/18754/TCA T1 - Willow - pollard T2 - Cherry – prune, T3 - Magnolia – prune, Ingleview, 20 Low Street, Burton in Lonsdale - Approved tree works in conservation area.

2017/18778/PNAG Proposed agricultural building, Sixpenny Syke Farm, Carleton Lane, Carleton - Prior approval not required.

2017/18784/CND Application to discharge condition no 13 of application reference 2017/18613/VAR, Burnroyd Avenue, Cross Hills - Condition satisfactorily discharged.

2017/18788/CND Application to discharge condition no 3 of previously approved application 63/2017/18072, Tarn Moor Memorial Woodland, Grassington Road, Skipton - Condition satisfactorily discharged.

## **b. Applications**

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

### **Permission Granted**

**2017/18492/OUT Outline application for a residential development of 4 dwellings with associated garages (access and layout applied for with all other matters reserved), land off Meadow Lane/Moorfoot Lane, Cononley.**

#### Conditions

##### Time Limit for Commencement

1. Application for approval of reserved matters must be made not later than three years from the date of this permission and the development must be begun not later than: (i) the expiration of three years from the date of this permission; or (ii) two years from the date of approval of the last of the reserved matters to be approved..

##### Approved Plans

2. The permission relates to the following plans:

- Scale 1:1250 Location plan received 30<sup>th</sup> October 2017.

- Drawing no. 2590A – Scale 1:500 block plan.

Any application for approval of reserved matters submitted pursuant to this permission shall accord with the outline permission insofar as it relates to the means of access to the site, the layout of the development, the maximum number of dwellings and the site area.

#### Before Development Commences

3. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- the scale and external appearance of the buildings and the landscaping of the site (hereinafter referred to as the “reserved matters”).

4. Any application for approval of reserved matters shall include details of attenuation measures to be put in place to mitigate the effects of noise and vibration from passing railway traffic on future occupiers of the dwellings. The attenuation measures shall demonstrate compliance with the requirements of BS8233:2014: ‘Guidance on Sound Insulation and Noise Reduction for Buildings’ and shall ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07:00 and 23:00 hours, and 0.26m/s<sup>1.75</sup> between 23:00 and 07:00 hours as calculated in accordance with BS 6472-1:2008: ‘Guide to Evaluation of Human Exposure to Vibration in Buildings’. The duly approved attenuation measures shall be implemented before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

5. Any application for approval of reserved matters shall include a scheme for the layout, design and construction of a pedestrian footway through the site to Moorfoot Lane unless the Local Highway Authority advise that the provision of such a footway is undesirable and/or detrimental to highway safety. Note : Actual wording of this condition to be formulated by the Planning Manager.

6. No development shall take place until a scheme including details of the following have been submitted to and approved in writing by the Local Planning Authority:

- tactile paving;
- vehicular, cycle, and pedestrian accesses;
- vehicular and cycle parking;
- vehicular turning arrangements;
- manoeuvring arrangements;
- loading and unloading arrangements.

The development shall be implemented in accordance with the duly approved scheme and the areas for access, parking, manoeuvring and turning shall be made available for use before any of the dwellings are first occupied.

7. No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

a. Detailed engineering drawings to a scale of not less than 1:250 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 - types of construction proposed for carriageways, cycleways and footways/footpaths;
- 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 timetable for completion of the works detailed in a) to g).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

8. No development shall take place until a scheme for the design and construction of the site access at the junction with Meadow Lane (the position of which is shown on drawing no. 2590A) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

a. Splays giving clear visibility of at least 35 metres in both directions measured along both channel lines of Meadow Lane from a point measured 2 metres down the centre line of the access road. The eye and object heights shall be 1.05 metres.

b. The crossing of the highway verge and/or footway to be constructed in accordance with North Yorkshire County Council's Standard Detail E6 or another specification which has first been submitted to and approved in writing by the Local Planning Authority.

c. Any gates or barriers to be erected a minimum distance of 4.5 metres from the back edge of the carriageway of the existing highway and that they do not swing or open over the existing highway.

d. The first 4.5 metres of the access road extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.

e. The prevention of surface water from the site discharging onto the existing or proposed highway.

f. Tactile paving in accordance with current Government guidance.

The site access shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant height referred to in (i) thereafter.

9. Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing and proposed highway until 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 existing highway have been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

10. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;
- e. arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

11. Any application which seeks approval for the reserved matter of landscaping pursuant to this permission shall include a landscaping scheme for the site which contains details of:

- a. any trees, hedgerows and any other vegetation on/overhanging the site to be retained;
- b. the introduction of a landscaping buffer along the south-eastern boundary of the site with Moorfoot Lane.
- c. the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii); and
- d. the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

12. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and

approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. If discharge to a public sewer is proposed: (a) evidence shall be provided to demonstrate that other means of surface water disposal (e.g. via infiltration and/or to a watercourse) have been investigated and why they have been discounted; (b) the means by which the surface water discharge rate to any sewer is to be restricted to a maximum of 3 litres per second.
- c. Details of the rate of surface water discharge from the site which shall ensure that the post-development surface water runoff rate generated during rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.
- d. Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

#### Ongoing Conditions

13. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the garage for the dwelling on plot 1 (as identified on drawing no. 2590A) hereby approved shall be retained as such thereafter and shall not be converted to provide additional living accommodation unless a separate planning permission has first been granted on application to the Local Planning Authority.

#### Informatives:

Noise: During construction there is a potential for noise nuisance to nearby residential properties. In order to minimise any effects in this regard, the applicant is advised to limit operating times for construction to:

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

Topsoil: The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil. The Local Planning Authority reserves the right to require the applicant to provide details of the supplier(s) and confirmation on the source(s) of any topsoil material.

Network Rail: The applicant's attention is drawn to Network Rail's response dated 14<sup>th</sup> November 2017 which, in addition to conditions attached to this permission, identifies a number of requirements for developments undertaken adjacent to the operational railway line. The 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 which 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.

Highways: 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. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority. Works of repair to the adopted highway as a result of damage caused by construction traffic may include replacing carriageway, kerbs, footways, cycleways and verges to the proper line and level. It is recommended that before a detailed condition discharge submission is made a draft road and footway layout is prepared for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work.

Statement of Positive Engagement : The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*)

**2017/18661/FUL Erection of a chalet to provide rented holiday accommodation, 3 The Bailey Skipton** – subject to the conditions listed below and to additional conditions to be formulated by the Planning Manager requiring designation of a parking space for use in connection with the chalet and maintenance of the screening to Rectory Lane to a level no less than that currently in place.

#### Conditions

##### Time Limit for Commencement

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

##### Approved Plans

2. This permission relates to the following plans:

- Location Plan received 02<sup>nd</sup> November 2017.
- Specification details received 01<sup>st</sup> November 2017.
- Block Plan received 01<sup>st</sup> November 2017.
- Hut Floorplan received 01<sup>st</sup> November 2017.
- Proposed Shepherd Hut Elevations received 01<sup>st</sup> November 2017.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

##### Ongoing Conditions

3. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and

re-enacting that Order, with or without modification), the premises shall be used as holiday accommodation only and shall not be let, sold or otherwise occupied for any other purpose (including any other use falling within Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument amending or replacing that Order).

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**

**32/2016/17097 Conversion and restoration of Malsis Hall to create care facility (use class C2) including demolition of existing extensions and construction of new extensions, upgrading and re-opening of former sports facilities and residential development of 67 dwellings within grounds (including conversion of listed lodge building to dwellinghouse), Malsis Hall Colne Road Glusburn** – the Development Control Manager was authorised to approve this application subject to the following conditions, and subject also to the prior completion of a Section 106 Agreement to secure

- a. The provision, tenure, delivery mechanism, occupation criteria and phasing for 16% of the dwellings to be provided as affordable housing (as defined the National Planning Policy Framework) in accordance with the size, mix, layout and distribution shown on the approved plans.
- b. A community use agreement for the sports facilities and changing room to be delivered as part of the first phase of development.
- c. The provision, layout, specification, design, management and maintenance of a play area on the site, the size and location of which is shown on the approved plans.

### Conditions

#### Time Limit for Commencement

1. The development must be begun not later than the expiration of three years from the date of this permission.

#### Approved Plans

2. This permission relates to the following plans:

- Drawing no. GA00 – Location plan.
- Drawing no. 0380-PLI-90-001 Rev P17 – Site masterplan.
- Drawing no. H5095-PP-002 Rev B – Phasing plan (amended plan received 13.12.17)
- Drawing no. H5095-AHL-001 – Affordable Housing Layout.
- Drawings titled 'Malsis Play Area Proposal'.
- Drawings titled 'House Type - A, C, K, N, P and R' plans and elevations overview.
- Drawings titled 'House Type – D and E' plans and elevations overview (amended plans received 6.11.17).
- Drawings titled 'House Type – B, F and H' plans and elevations overview (amended plans received 15.12.17)
- Drawings titled 'Apartment Type – M' plans and elevations overview.
- Drawing titled 'The Lodge Elevations Overview'.
- Drawing titled 'The Lodge Plans Overview'.
- Drawings titled 'Sports/Playing Field Strategy 09.10.2017 update'.
- Drawing no. 1507SHW/MSC/E002 – Illustrative section and external photographs.

- Drawing no. 0380-PLI-L-94-001 Rev P12 – Tree protection measures.
- Drawing no. 15-093-101 Rev G – Proposed site plan.
- Drawing no. 15-093-103 Rev C – Proposed demolition plan.
- Drawing no. 15-093-105 Rev B – Proposed demolition masterplan.
- Drawing no. 15-093-110 Rev A – Building A & D main hall & chapel ground floor demolition plan.
- Drawing no. 15-093-111 Rev A – building A first and second floor demolition plan.
- Drawing no. 15-093-112 Rev A – Building B & C façade & cottage demolition plans.
- Drawing no. 15-093-113 Rev A – Building E – House demolition plans.
- Drawing no. 15-093-119 Rev H – Indicative lower ground floor.
- Drawing no. 15-093-120 Rev J – Indicative ground floor.
- Drawing no. 15-093-121 Rev G – Indicative first floor.
- Drawing no. 15-093-122 Rev D – Indicative second floor.
- Drawing no. 15-093-123 Rev B – Indicative roof plan.
- Drawing no. 15-093-150 Rev F – Proposed elevations (1 of 3).
- Drawing no. 15-093-151 Rev F – Proposed elevations (2 of 3).
- Drawing no. 15-093-152 Rev F – Proposed elevations (3 of 3).
- Drawing no. 15-093-320 Rev D – Cottage proposed floor plans.
- Drawing no. 15-093-350 Rev E – Cottage proposed elevations.
- Drawing no. 15-093-420 Rev B – Malsis house proposed plans and elevations.
- Drawing no. 15-093-SK500 – Chapel site plan.
- Drawing no. 15-093-520 Rev A – Chapel floor plan.
- Drawing no. 15-093-521 Rev A – Chapel roof plan.
- Drawing no. 15-093-550 Rev B – Chapel proposed elevations.
- Drawing no. 0380-PLI-L-97-100 Rev P02 – Care facility hard landscape and boundary treatments plan.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

3. The development shall be carried out sequentially in accordance with the two phases identified on drawing no. H5095-PP-002 Rev B. No development associated with phase 2 shall take place until the building works and/or land uses for phase 1 have been substantially completed and made available for use and/or occupation

#### Before Development Commences

4. No development (other than demolition) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- a. A phased programme and methodology of site investigation and recording to include:
  - i. a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
  - ii. a targeted archaeological evaluation; and
  - iii. where appropriate, targeted area excavation.
- b. A programme for post investigation assessment to include:
  - i. analysis of the site investigation records and finds;
  - ii. production of a final report on the significance of the archaeological interest represented.
- c. provision for publication and dissemination of the analysis and report on the site investigation.

- d. provision for archive deposition of the report, finds and records of the site investigation.
- e. nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

5. Within one month of the demolition operations associated with the phase 1 works identified on drawing nos. H5095-PP-002 Rev B and 15-093-103 Rev C first taking place, a scheme for the treatment, repair and/or reconstruction of the elevations of all buildings which are attached to those components to be demolished shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. A sample panel (measuring no less than 1m x 1m) of any stonework to be used on the external surfaces of the buildings. The sample panel shall demonstrate the type, texture, size, colour, bond and method of pointing for the stonework.
- b. The constituency and colour of the mortar to be used in the pointing of any stonework.
- c. Details of the type, colour and texture of any other materials to be used on the external surfaces of the buildings.

The development shall thereafter be implemented in full accordance with the duly approved scheme before the care home hereby approved is first occupied.

6. Notwithstanding any description of materials in the application, no development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B shall take place on the part of the site relating to that phase until full details of all materials to be used on the external surfaces of the buildings associated with that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

7. Notwithstanding any details shown on the approved plans, no development (other than demolition) associated with: (i) any of the phase 1 works involving the conversion, extension or alteration of Malsis Hall; and (ii) any of the phase 2 works involving the conversion and extension of the lodge on plot 67, shall take place until details of all windows and doors (including both new and replacement openings) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including surrounds, sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before the buildings associated with (i) and (ii) are first occupied, and shall be retained as such thereafter.

8. No development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B shall take place on the part of the site relating to that phase until details of finished floor levels and external ground levels for each building (including its external areas) and/or land use associated with that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

9. If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a. a survey of the extent, scale and nature of contamination;
- b. an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.
- c. an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the buildings and/or land uses on the affected part(s) of the site are first occupied.

10. No residential development associated with the Phase 1 and 2 works identified on drawing no. H5095-PP-002 Rev B shall take place on the parts of the site relating to those phases until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 14 July 2017 have been addressed. The development shall thereafter be carried out in full accordance with the duly approved details.

11. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev B shall take place until a scheme for the design and construction of the site accesses at the junctions with Colne Road and Carr Head Lane (the positions of which are shown on drawing no. 0380\_PLI\_90\_001 Rev P17) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- a. Splays giving clear visibility of 60 metres (looking east) and 100 metres (looking west) measured along both channel lines of the A6068 from a point measured 2.4 metres down the centre line of the site access at the junction with the A6068 (Colne Road). The eye and object heights shall be 1.05 metres.
- b. Splays giving clear visibility of 60 metres (looking west) and 100 metres (looking southeast) measured along both channel lines of Carr Head Lane from a point measured 2.4 metres down the centre line of the site access at the junction with Carr Head Lane. The eye and object heights shall be 1.05 metres.
- c. 7 metre radius kerbs to give a minimum carriageway width of 6.5 metres at the site accesses and the construction of the first 8 metres of the access road extending into the site in accordance with NYCC's Standard Detail number A1.
- d. Any gates or barriers to be erected a minimum distance of 11 metres from the back edge of the carriageway of the existing highway and that they do not swing or open over the existing highway.
- e. The first 20 metres of the access road extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 12 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.

f. The prevention of surface water from the site discharging onto the existing or proposed highway.

g. Tactile paving in accordance with current Government guidance.

The site accesses shall be constructed in accordance with the duly approved scheme before any part of the development is first occupied, and the visibility splays shall be maintained clear of any obstructions thereafter.

12. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev B shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

a. The provision of tactile paving.

b. The construction of two traffic islands in the centre of the carriageway of the A6068 in positions immediately west of its junctions with the site access onto Colne Road (as shown on drawing no. 1267-F01E) and Carr Head Lane (as shown on drawing no. 1267-F01D), including associated road markings.

c. The upgrading of two existing bus stops on the A6068 located to the west of the site access (eastbound and westbound) to include provisions for raised kerbs, dropped crossings, tactile paving, poles and a bus shelter, together with associated road markings.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/03 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the buildings and/or land uses for any phase of development hereby approved are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

13. No development (other than demolition) for any phase identified on drawing no. H5095-PP-002 Rev B shall take place until a scheme for the siting, layout, height, design, materials and finish of any means of enclosure used to restrict access between the external areas of each phase of development and the site access onto Carr Head Lane has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any access arrangements for emergency services and a timetable for the erection of the means of enclosure. The means of enclosure shall be erected in accordance with the duly approved scheme and the timetable contained therein, and shall be retained as such thereafter.

14. No development associated with the phase 2 works identified on drawing no. H5095-PP-002 Rev B shall take place on the parts of the site relating to that phase until a scheme for the provision of footways to link pedestrian traffic from the development with existing footways on Colne Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the size, layout and design of the footways and their points of connection with existing footways on Colne Road (including details of the need to remove any vegetation and/or sections of the existing boundary wall). The footways shall be constructed and made available for use in accordance with the duly approved scheme before any of the dwellings associated with the phase 2 works hereby approved are first occupied, and shall be retained as such thereafter.

15. No development for each phase identified on drawing no. H5095-PP-002 Rev B shall take place on the part of the site relating to that phase until a Construction Exclusion Zone (CEZ) has been formed around the Root Protection Areas of those trees falling within the relevant

phase and identified as being retained on drawing no. 0380\_PLI\_L\_94\_001. The CEZ shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be installed in the positions indicated by a solid blue line on drawing no. 0380\_PLI\_L\_94\_001. The CEZ shall be maintained in the duly installed positions for the entirety of the construction period insofar as it relates to each phase.

16. No development associated with the construction and laying out of the sports pitches which form part of the phase 1 works identified on drawing no. H5095-PP-002 Rev B shall take place until a scheme containing the following documents has been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England):

a. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the reconfigured football pitches which identifies constraints that could affect playing field quality.

b. Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The scheme shall also include details of the design and layout of the pitches which shall comply with the Football Association guidance.

c. A Maintenance Scheme for the grass pitches including a maintenance schedule, details of the Performance Quality Standard testing arranged via the Football Association Pitch Improvement Programme, and a mechanism for review

The duly approved scheme shall be implemented in full in accordance with a timetable which has first been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). The land in question shall thereafter be maintained in accordance with the duly approved scheme with effect from commencement of the use and shall be retained for playing field use thereafter.

17. No development associated with the construction and laying out of the sports pitches which form part of the phase 1 works identified on drawing no. H5095-PP-002 Rev B shall take place until a scheme for the size, siting, design and layout of the sports changing accommodation has been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). The sports changing accommodation shall thereafter be delivered and made available for use in accordance with the duly approved scheme before the sports pitches hereby approved are first brought into use, and shall be retained as such thereafter.

18. No development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B shall take place on the part of the site relating to that phase until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document) and shall include:

a. Separate systems for the disposal of foul and surface water.

b. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the post-development surface water runoff rate generated during rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.

- c. Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before each associated phase of development is first occupied, and shall be maintained / managed as such thereafter.

19. No development for any phase identified on drawing no. H5095-PP-002 Rev B shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;
- e. arrangements for the provision of wheel washing facilities for vehicles accessing the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

20. No development associated with the demolition of the outbuilding referred to as 'Building 2' in the Bat Survey by 'Envirotech' (report reference 426) shall take place until a comprehensive method statement indicating how bats are to be protected during the demolition works and how appropriate mitigation measures (including the siting and design of habitat compensation and enhancement measures) are to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained therein and any mitigation measures shall be fully implemented within one month of the demolition works taking place, and shall be retained as such thereafter.

#### During Building Works

21. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B first taking place, a hard landscaping scheme for the external areas of the site relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, construction (including sub layers and surfacing materials), drainage and lighting of all hard surfaced areas (including estate roads, footpaths and vehicle parking and manoeuvring areas), and a timetable for their provision. The hard surfaced areas shall thereafter be constructed in accordance with the duly approved scheme and made available for use before each building and/or land use which would take access from the relevant hard landscaped areas is first occupied.

22. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B first taking place, a soft landscaping scheme for the external

areas of the site relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. Where relevant to each phase, the scheme shall include details of:

- a. the introduction of a planting buffer upon the verge located to the south of plots 8-16 where this flanks the southern boundary of the site with Colne Road.
- b. the introduction of additional planting within the site which forms part of the internal development layout; and
- c. the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after the development for the relevant phase is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

23. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

24. Notwithstanding any details contained within the application, no external lighting associated with each phase of development identified on drawing no. H5095-PP-002 Rev B shall be installed on the part of the site relating to that phase until a scheme for its installation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the lighting's: (i) position and height on the building(s) and/or site; (ii) spillage, luminance and angle of installation; and (iii) any hoods to be fixed to the lights. All external lighting shall thereafter be installed in accordance with the duly approved scheme.

25. Within three months of development (other than demolition) for each phase identified on drawing no. H5095-PP-002 Rev B first taking place, a scheme for the siting, height, design, materials and finish of all boundary treatments relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be constructed in accordance with the duly approved scheme before each building and/or land use associated each phase of development is first occupied.

#### Before the Development is Occupied

26. Notwithstanding any details submitted as part of the application, none of the buildings and/or land uses for each phase of development identified on drawing no. H5095-PP-002 Rev B shall be first occupied until a Travel Plan for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the 'Umbrella Travel Plan Framework' contained in Appendix 6 of the Transport Assessment by 'Croft Transport Solutions' dated June 2016 and shall contain:

- a. details of a Travel Plan co-ordinator;

- b. details of measures to be introduced to promote a choice of travel modes to and from the site;
- c. a monitoring regime which sets out travel mode share targets, monitoring procedures and mechanisms to be put in place to ensure that the Travel Plan remains effective; and
- d. a timetable for the implementation, monitoring and review of the Travel Plan which shall include provision for an annual assessment (over a minimum period of five consecutive years following the implementation of the Travel Plan) of the effectiveness of the measures introduced under (ii) and shall identify the need for any changes to the Travel Plan and a timetable for their implementation.

The travel plan shall thereafter be implemented in accordance with the duly approved details and timetable contained therein.

#### Informatives

**Highways:** 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.

**Yorkshire Water:** The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: [Technical.Sewerage@yorkshirewater.co.uk](mailto:Technical.Sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

**Sport England:** The design of the sports pitches should be undertaken by a specialist sports turf agronomist and constructed in accordance with their recommendations. All pitches should pass a Performance Quality Standard test before use and have suitable maintenance programmes and arrangement in place to maintain this standard. It is recommended that the changing accommodation accords with the Football Association design guidance.

**Coal Authority:** 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. 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)

**Ecology:** The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species License from Natural England. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Statement of Positive Engagement : The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*)

**2017/18477/FUL Residential development of 73 dwellings including associated infrastructure, land at corner field to the north of A6131/Harrogate Road, Skipton** – the Development Control Manager was authorised to approve this application subject to the following conditions, and subject also to the prior completion of a Section 106 Agreement to secure

- a. The provision, tenure, delivery mechanism, occupation criteria and phasing for 30% of the dwellings to be provided as affordable housing (as defined the National Planning Policy Framework) in accordance with the size, mix, layout and distribution shown on the approved plans.
- b. The provision, layout, specification, design, management and maintenance of public open space and a Locally Equipped Area for Play on the site in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy SRC2.
- c. A financial contribution of £100,000 towards the off-site provision, improvement and/or future maintenance of open space to address local deficiencies in youth and adult play and recreation space.

#### Conditions

##### Time Limit for Commencement

1. The development must be begun not later than the expiration of three years from the date of this permission.

##### Approved Plans

2. This permission relates to the following plans::

- Scale 1:1250 Location Plan (amended plan received 11.10.17).
- Drawing no. 0222-01 Rev U – Site layout plan
- Drawing no. 0222-03 Rev N – Enclosures plan
- Drawing no. 0222-04 Rev N – Materials plan
- Drawing no. 0222-06 Rev B – Site sections
- Drawing no. 0222-08 Rev F – Open space areas
- Drawing no. 0222-09 Rev B – Extent of Skipton Road Footway widening.
- Package titled 'House Type Planning Drawings – Rev E' which includes:
  - Drawing no. 0222\_RE\_01 – Regent
  - Drawing no. 0222\_WE\_01 – Weir
  - Drawing no. 0222\_RO\_01 – Rowling
  - Drawing no. 0222\_GR\_01 – Grange
  - Drawing no. 0222\_AS\_01 – Ashbery
  - Drawing no. 0222\_MI\_01 – Mitford
  - Drawing no. 0222\_RY\_01 – Ryton
  - Drawing no. 0222\_ST\_01 – Stevenson B
  - Drawing no. 0222\_ST\_DA\_01 – Stevenson D.A.
  - Drawing no. 0222\_GA\_01 – Gala
  - Drawing no. 0222\_BU\_01 – Buttermere
  - Drawing no. 0222\_JU\_01 – Jura

- Drawing no. 0222\_TH\_01 – Thames
- Drawing no. 0222\_TH\_02 – Thames
- Drawing no. 0222\_CH\_01 – Chichester
- Drawing no. 0222\_CH\_04 – Chichester
- Drawing no. 0222\_SG\_01 – Single garage
- Drawing no. 0222\_DG\_01 – Double garage
- Drawing no. 0222\_DG\_02 – Double garage

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

#### Before Development Commences

3. No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

a. A phased programme and methodology of site investigation and recording to include:

- a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
- a targeted archaeological evaluation; and
- where appropriate, targeted area excavation.

b. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds;
- production of a final report on the significance of the archaeological interest represented.

c. provision for publication and dissemination of the analysis and report on the site investigation.

d. provision for archive deposition of the report, finds and records of the site investigation.

e. nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

4. Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

5. Notwithstanding any details shown on the approved plans, no above ground works shall take place until details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including surrounds, sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before each associated dwelling is first occupied, and shall be retained as such thereafter.

6. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot

takes place. The development shall thereafter be implemented in accordance with the duly approved details.

7. No development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a. a survey of the extent, scale and nature of contamination;
- b. an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.
- c. an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

8. No above ground works shall take place until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 5 September 2017 have been addressed and/or mitigated. The development shall thereafter be carried out in full accordance with the duly approved details.

9. No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a. Detailed engineering drawings to a scale of not less than 1:250 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 types of construction proposed for carriageways, cycleways and footways/footpaths;
  - 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 timetable for completion of the works detailed in a) to g).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

10. No development shall take place until a scheme for the design and construction of the site accesses at the junctions with the A6131 and Skipton Road (the positions of which are shown on drawing no. 0222-01 Rev U) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- a. Splays giving clear visibility of 120 metres (in both directions) measured along both channel lines of the A6131 from a point measured 4.5 metres down the centre line of the site access at the junction with the A6131. The eye and object heights shall be 1.05 metres.
- b. Splays giving clear visibility of 50 metres (looking northwest) and 33 metres (looking southwest) measured along both channel lines of Skipton Road from a point measured 2.4 metres down the centre line of the site access at the junction with Skipton Road. The eye height shall be 1.05 metres and the object height shall be 0.6 metres.
- c. The crossing of the highway verge and/or footway to be constructed in accordance with North Yorkshire County Council's Standard Detail E6 or another specification which has first been submitted to and approved in writing by the Local Planning Authority.
- d. Any gates or barriers to be erected a minimum distance of 6 metres from the back edge of the carriageway of the existing highway and that they do not swing or open over the existing highway.
- e. The first 6 metres of the access road/footway extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 20 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.
- g. The prevention of surface water from the site discharging onto the existing or proposed highway.
- f. Tactile paving in accordance with current Government guidance.

The site accesses shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant heights referred to in (i) and (ii) thereafter.

11. Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing and proposed highway until 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 existing highway have been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

12. No development shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a. The provision of tactile paving.
- b. The provision of a ghost island right hand turn lane for westbound vehicles entering the site from the A6131, including any widening of the existing carriageway.
- c. The provision of pedestrian crossings over the carriageways of the A6131 and Skipton Road in all locations where the shared footway/cycleway emerges onto the existing highway.
- d. The provision of new footways: (i) between the opening of the shared footway/cycleway onto the A6131 (southeast corner) and the junction of the A6131 with Overdale Grange; and (ii) over the southern verge of the A6131 to connect with the existing footway in the position shown on drawing no. 0222-01 Rev U.
- e. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the widening of the existing footways on Skipton Road and the A6131 to 2.5 metres in the positions shown on drawing no. 0222-09 Rev B.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/03 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the dwellings are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

13. No above ground works shall take place until a scheme for the layout, construction and design of the 2.5 metre wide shared footpath/cycleway extending around the perimeter of the site (the route of which is shown on drawing no. 0222-01 Rev U) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the Sustrans multi user path standards. The shared footpath/cycleway shall be constructed and made available for use in accordance with the duly approved scheme before the 37<sup>th</sup> dwelling hereby approved is first occupied, and shall be retained as such thereafter.

14. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;

- e. arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

15. No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
- b. Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
- c. Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

16. No development on the affected areas of the site shall take place until a scheme for the protection of the 225mm diameter foul sewer crossing the site has been submitted to and approved in writing by the Local Planning Authority. If these protection measures include the diversion of the sewer then the applicant shall provide written evidence to the Local Planning Authority confirming that the proposed sewer diversion has been agreed with the relevant statutory undertaker. The development shall thereafter be carried out in full accordance with the duly approved scheme.

17. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document) and shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the post-development surface water runoff rate generated during rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances

for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.

c. Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including through the use of areas to hold or convey water).

d. Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

#### During Building Works

18. All doors and windows on the elevations of the dwellings located 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.

19. Notwithstanding any details shown on the approved plans, within three months of development first taking place a soft landscaping scheme for the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

20. Within three months of development first taking place details of the design, materials and finish of the boundary treatments for each plot (the type, siting and height of which is shown on drawing no. 0222-03 Rev N) shall be submitted for the written approval of the Local Planning Authority. The boundary treatments for each plot shall be constructed in accordance with the duly approved details before the dwelling on each associated plot is first occupied, and shall be retained as such thereafter.

#### Before the Development is occupied

21. None of the dwellings hereby approved shall be first occupied until a scheme for the installation of 10 all-purpose bat and bird boxes on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, size and design of the bat and bird boxes and a timetable for their installation. The bat and bird boxes shall be installed in accordance with the duly approved scheme and the timetable contained therein.

22. The full length of the dry stone boundary wall to the eastern perimeter of the site (which is to form the boundary between the dwellings proposed on plots 59-68, 73 and existing houses on Cross Bank and Overdale Grange) shall be rebuilt to a height of 1.8 metres before any of the dwellings are first occupied. The remainder of the dry stone boundary wall (to the northern, southern and western perimeters of the site) shall be retained, repaired and, where necessary, partially rebuilt to its existing height in accordance with the details shown on drawing no. 0222-03 Rev N before any of the dwellings hereby approved are first occupied.

23. The vehicle access, parking, manoeuvring and turning areas for each dwelling shall be constructed and made available for use in full accordance with the details shown on drawing no. 0222-01 Rev U before each associated dwelling is first occupied.

24. Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Travel Plan by 'AECOM' dated May 2017 (report reference 60541520) and shall contain:

- a. details of a Travel Plan co-ordinator;
- b. details of measures to be introduced to promote a choice of travel modes to and from the site;
- c. a monitoring regime which sets out travel mode share targets, monitoring procedures and mechanisms to be put in place to ensure that the Travel Plan remains effective; and
- d. a timetable for the implementation, monitoring and review of the Travel Plan which shall include provision for an annual assessment (over a minimum period of five consecutive years following the implementation of the Travel Plan) of the effectiveness of the measures introduced under (ii) and shall identify the need for any changes to the Travel Plan and a timetable for their implementation.

The travel plan shall thereafter be implemented in accordance with the duly approved details and timetable contained therein.

#### Informatives

**Highways:** 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. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority. It is recommended that before a detailed condition discharge submission is made a draft road and footway layout is prepared for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work.

**Trees:** Several trees on the site are protected by a Tree Preservation Order (TPO references '66 1990 A1' and '57 1989'). All specimens also fall within the Skipton Conservation Area. For the avoidance of doubt, and notwithstanding any details contained within the arboricultural report by Iain Tavendale dated 21.08.17, this planning permission does not permit any works to existing trees on the site. Should the applicant wish to undertake the works to trees identified in the arboricultural report, they are advised that a separate works to trees application will be required.

**Yorkshire Water:** The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: [Technical.Sewerage@yorkshirewater.co.uk](mailto:Technical.Sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and

construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Statement of Positive Engagement : The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*)

### **Permission Refused**

**2017/18704/FUL Change of use of building from two holiday cottages to one residential dwelling (resubmission of refused planning application reference 42/2017/18093), Dales Valley View Cottage, Swinden.**

#### Reason for Refusal

The application building occupies a remote location in the open countryside which, by virtue of its distance from and poor access to local services and facilities, is incapable of meeting the everyday needs of permanent occupiers without undue reliance on travel by private motor vehicle. Therefore, the proposed conversion of the holiday cottages to permanent residential accommodation would create an isolated dwelling in the countryside and increase the number and frequency of less sustainable trips in conflict with the core planning principle of the National Planning Policy Framework which requires developments to make the fullest possible use of public transport, walking and cycling. The applicant has failed to demonstrate the presence of any special circumstances to outweigh the harm which would arise in this regard. Therefore, the proposal is in conflict with the requirements of paragraphs 17, 29 and 55 of the National Planning Policy Framework and does not represent sustainable development.

Informative: For the avoidance of doubt, this decision relates to the following plans:

Scale 1:2500 location plan received 3 November 2017.

Scale 1:200 proposed site plan received 3 November 2017.

Scale 1:100 proposed floor plans received 3 November 2017.

Scale 1:100 proposed elevations received 3 November 2017.

Statement of Positive Engagement : The proposal would not improve the economic, social and environmental conditions of the area and it does not comply with the development plan. Therefore, it does not comprise sustainable development. There were no amendments to the scheme or conditions which could reasonably have been imposed to make the development acceptable and, accordingly, it was not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (\*)

(Cllr Shuttleworth declared an interest under Paragraph 15 of the Council's Code of Conduct - financial interests of a close friend. He left the room for the duration of the determination of the application.)

(Councillor Heseltine stated that he had received lobbying for the above application and Councillor Lis indicated that he had received lobbying against.)

### **Consideration Deferred**

**63/2016/17313 Full application for the erection of 98 dwellings, Aldersley Avenue, Skipton -**

pending a site visit and to enable an invitation to Highway Authority representatives, both the local highway development control surveyor and a representative of the County Hall based team, to attend the next meeting of this Committee. (\*)

(Councillor Heseltine stated that he had received lobbying against the above application.)

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

(SV Indicates site visit held on the morning of the meeting.)

**Minutes for Decision**

- None -

Chairman.



# **CRAVEN**

IN · THE · YORKSHIRE · DALES

## **D I S T R I C T**

### **PLANNING COMMITTEE AGENDA**

**DATE: 12th February 2018**

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## **REPORT TO PLANNING COMMITTEE ON 12th February 2018**

**Application Number:** 63/2016/17313

**Proposal:** Full application for the erection of 98 dwellings

**Site Address:** Aldersley Avenue Skipton North Yorkshire BD23 2LH

**On behalf of:** Persimmon Homes West Yorkshire

**Date Registered:** 2nd September 2016

**Expiry Date:** 2nd December 2016

**Case Officer:** Mr Matthew Taylor

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### **UPDATE TO MEMBERS:**

Members of the Planning Committee deferred their decision on this application at their meeting of 15<sup>th</sup> January 2018 in order to allow a site visit. At that meeting members also requested that a representative from the Local Highway Authority attended any subsequent committee meeting where this application is considered.

The report below includes the following updates to the one presented to members at the Planning Committee on 15<sup>th</sup> January 2018 as follows:

- 1) The additional objection mentioned in the late information report has been added to the summary of representations at paragraph 7.1.
- 2) Additional paragraphs have been inserted (9.16 and 9.17) which clarify the weight to be attached to a recent appeal decision at Colne Road, Glusburn (appeal APP/C2708/W/17/3177857) that was referred to during the debate at the committee meeting on 15<sup>th</sup> January 2018 with respect to the Council's housing land supply position.
- 3) Reference to the Emerging Local Plan (or 'ELP') has been updated to refer to the Publication Draft Local Plan released for public consultation on 2<sup>nd</sup> January 2018.
- 4) The list of plans in condition 2 has been updated to include reference to an additional sectional drawing provided by the applicant (drawing no. AAS-2015-005). This drawing shows, for illustrative purposes, the relationship between the proposed dwellings at plots 22-24; 25-28; and 32 with bungalows at nos. 274, 284 and 292 Moorview Way respectively.
- 5) The maximum extent of land raising associated with the plots located adjacent to properties on Moorview Way has been updated (increasing from 1.5m to 2.5m) in paragraphs 9.36 and 9.44 and the degree of spacing between plot 22 and no. 274 Moorview Way has been updated (increasing from 9.5m to 11m) in paragraph 9.41. These changes reflect the details shown on the additional plan referred to in point 4.

**The application has been referred to the Planning Committee as it represents a departure from the provisions of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the officer recommendation is for approval.**

## **1. Site Description**

- 1.1 The application relates to an irregularly shaped parcel of land to the south-eastern periphery of Skipton extending to approximately 5.7 hectares between Aldersley Avenue and Moorview Way. The site currently comprises open farmland with small pockets of scattered outbuildings and piecemeal enclosures. The watercourse of Jenny Beck (part of which is culverted) follows a narrow valley to the western end. Ground level falls steeply in a north-westerly direction across the site down to Moorview Way.
- 1.2 The site falls outside the Development Limits identified on the Craven District (Outside the Yorkshire Dales National Park) Local Plan (CDLP) Proposals Map and is therefore located within open countryside. The land is, however, allocated as a housing site with associated green infrastructure provision (site reference SK013) in the Publication Draft Craven Local Plan dated 19<sup>th</sup> December 2017 (referred to hereafter as the Emerging Local Plan or 'ELP').
- 1.3 An existing road with a priority (give way) junction onto Aldersley Avenue provides access to a group of garages located to the western end of the site. The site boundary includes these garages and the access road onto Aldersley Avenue which runs between no. 1 Hillside Crescent and no. 47 The Oval.
- 1.4 The northern boundary of the site is flanked by dwellings (a mix of bungalows and two storey houses) on the cul-de-sacs of Moorview Way to the north and two storey houses on The Oval, Hillside Crescent and Lytham Gardens to the west/southwest. Playgrounds off Shortbank Close and Lytham Gardens are located to the northwest and southwest corners of the site and clusters of trees at the edges of these roads (but outside the site) are protected by Tree Preservation Orders (TPO). The site adjoins areas of open farmland to the east and south which are separated by dry stone walls and landscaped buffers. Ground level continues to rise in a southerly direction away from the site up to Skipton Moor where views are available from elevated vantage points on the Dales High Way Public Right of Way (PROW).

## **2. Proposal**

- 2.1 The application seeks full planning permission for a residential development of 98 dwellings with associated infrastructure including buffers of open space arranged in a meandering 'L' shape alongside the southern and western boundaries of the site which extend to approximately 2.7 hectares.
- 2.2 The main estate road would run an easterly direction from its junction with Aldersley Avenue through the site, with two other cul-de-sacs branching in southerly directions of the main estate road. The proposed dwellings would be laid out to follow the flanks of these cul-de-sacs, with pockets fronting onto four courtyards extending in a northerly direction off the main estate road.
- 2.3 Housing would include a combination of terraced, semi-detached and detached properties delivering a mix of two (18 plots), three (51 plots) and four (29 plots) bed dwellings. A total of 20 plots (equating to 20% of the total) would be provided as affordable housing delivering a mix of 14 x 2 bed; and 6 x 3 bed dwellings in two pockets to the northeast and northwest corners of the development.
- 2.4 The estate road would form an elongated route following a latitudinal, east-west trajectory through the site. The existing garages at the junction onto Aldersley Avenue would be demolished as part of the scheme and a minimum 85m deep area of open space would extend in an easterly direction into the site to the north and south sides of the estate road to provide a buffer on both sides of Jenny Beck. A second swathe of open space flanking the southern boundary and measuring between 30m and 60m in width would provide a buffer between housing proposed to the southern periphery and open land beyond (including an area of TPO woodland and housing on Lytham Gardens).
- 2.5 The majority of dwellings (69 plots) would be two storeys in height. A total of 6 plots would increase to 2.5 storeys to incorporate rooms (with dormer windows) in the roof and a further 23 plots would be split over 2/3 storeys as a result of local topographical changes. The majority of plots would include garage provision, either as integral features or detached, single storey outbuildings. A total of 14

house types are proposed across the site. The external surfaces of the dwellings are to be finished in artificial stone and slate roofs.

- 2.6 The overwhelming majority of dwellings would benefit from a minimum of two in-curtilage parking spaces, with all properties having at least one space (excluding garage provision). Six visitor parking spaces would also be provided within laybys to the side of the estate road.
- 2.7 Vehicle access to the development would be via a single point of ingress/egress facilitated by an easterly extension of the existing highway of Aldersley Avenue into the site. This would create a new crossroad junction between Aldersley Avenue, The Oval and Hillside Crescent, with priority (give way) junctions introduced on The Oval and Hillside Crescent at their junctions with the crossroads. The estate road would merge with Aldersley Avenue to provide a 5.5m wide route with flanking 2m wide footways. Traffic calming features including speed humps and raised tables would be introduced on the estate road.
- 2.8 Additional pedestrian/cycle access would be made available to Moorview Way through the introduction of three points of connection onto an existing footpath which runs between the northern boundary of the site and the southern edge of Moorview Way. This footpath continues into the adjacent playground on Shortbank Close and, subsequently, onto Shortbank Road.

### **3. Planning History**

- 3.1 63/2016/17356 – Application for a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for a proposed residential development relating to planning application 63/2016/17313 – Decision pending (not EIA development).

### **4. Planning Policy**

- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').
- 4.2 Craven District Council is in the process of preparing a new Local Plan to cover the period up to 2032. The Emerging Local Plan is at the publication draft stage and has not been subject to independent examination (or submitted for examination). Accordingly, the ELP is not the adopted development plan for the district. Given that the ELP is at a relatively early stage in its preparation, and having regard to paragraph 216 of the NPPF, its policies can carry only limited weight in the decision making process.
- 4.3 National Policy:  
National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)
- 4.4 CDLP:  
ENV1 – Development in the Open Countryside  
ENV2 – Requirements for Development in Open Countryside  
ENV10 – Protection of Trees and Woodlands  
SRC2 – Provision of Recreation Space in New Housing Developments  
T2 – Road Hierarchy
- 4.5 ELP:  
SP1 – Meeting Housing Need  
SP5 – Strategy for Skipton – Tier 1  
H2 – Affordable Housing

## **5. Parish/Town Council Comments**

5.1 *Skipton Town Council* – Object to the application. Comments as follows:

### ***Principle of development:***

- “The Town Council notes the recent variation in proposed housing numbers as part of the emerging Craven Local Plan and questions the need for a development of this size, given the number of proposed developments already being considered. The Town Council assumes that due weight will be given to this consideration and would ask that careful evaluation is undertaken to ascertain whether the level of housing required under the revised terms of the Plan can already be achieved through existing approved development.

### ***Highways:***

- The Town Council and local residents are extremely concerned at the impact the proposed development would have on an already stretched highways infrastructure. The impact of the development already under way at Elsey Croft has not yet been ascertained and, given that the proposed new development has a single access which will, ultimately, feed onto Shortbank Road, the Council must raise a serious concern as to whether the infrastructure could cope.
- The current pinch-point, with single file traffic under the railway bridge on Shortbank Road, is of particular concern. Many local residents already view this point as dangerous with poor lines of sight for traffic heading down towards town. It is felt that the additional traffic generated by the development will increase the risk of accidents and will increase congestion. Should the development be approved, the Town Council would urge that a requirement of the approval should include significant improvements to the highways infrastructure. In terms of traffic volume, residents are also concerned at the level of congestion already experienced on a daily basis along Newmarket Street. Residents feel this will be substantially worse should the development go ahead.

### ***Flooding and drainage:***

- The Town Council has concerns that the new development will both remove existing provision for surface water drainage and will itself add to the risk of flooding in the area. The Council would ask that a detailed view is obtained from the Environment Agency, given that the current investment in flood prevention schemes is focussed further ‘up stream’ than the proposed development. Can the existing beck which runs alongside Shortbank Road cope with any increased water run-off from the proposed development? One local resident raised a concern about the capacity of existing sewerage systems and with the current water pressure levels in this part of town. The resident stated that he believed that water pressure levels were already at the minimum of what was allowed and that a new development would reduce the pressure to an unacceptable level. The Town Council would urge that the Planning Authority explores this angle carefully with Yorkshire Water.

### ***School and health infrastructure:***

- The Council is extremely concerned at the impact the proposed development would have on already badly over-stretched school and health provision. Local schools are already operating at maximum capacity and the Town Council cannot see how these schools can take the additional pupil numbers which would be generated by the proposed development alongside those other developments already underway or with planning consent already granted. The Council would urge that detailed discussions take place with North Yorkshire County Council regarding potential pupil numbers and how these could be handled. The Council and local residents cannot see how the likely addition numbers could be accommodated without either substantial proper expansion of existing schools – or the provision of an additional school(s). The Town Council has similar concerns relating to local health provision. It is well documented that the two local doctors’ surgeries operate at or near capacity and there is

plenty of anecdotal evidence as to how difficult it is to obtain appointments at either surgery, despite the best efforts of the surgeries concerned.

***Play provision:***

- The Town Council notes that there is no planned play provision on site and that the application proposes improved links to existing play areas at Shortbank and at Lytham Gardens. The Council is content with the provision of the link to Shortbank and has already had detailed discussion with the District Council's Sports Development Officer to look at the level of improvements needed at the existing Shortbank Recreation Ground to provide both adequate and effective access from the new development both for residents using the facilities and for Town Council Grounds Maintenance staff – and the provision of additional equipment.
- The Town Council does question the proposed footpath to the existing play area at Lytham Gardens and does not believe that the topography of the land surrounding the play area (nor, indeed, the ownership of the land between the proposed development site and the play area) would, in fact, allow such a footpath to be created. The existing play area at Lytham Gardens is small and there is little or no capacity for any additional equipment. The play area is already very well utilised.

**6. Consultations**

**6.1** *CDC Environmental Health* – No objections. Comments as follows:

- The intrusive ground investigation submitted with the application has identified that an area of the site was previously used for landfill purposes. An intrusive ground investigation was carried out to determine the level of type of any land contamination associated with the activity. The results of the intrusive ground investigation show elevated levels of metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons (PAHs) in soil. The report states the former landfill site falls outside the area of the proposed housing units, however the extent of the landfill area has not yet been determined and roads and services are potentially going to pass through the former landfill area. Monitoring of ground gas is still ongoing and early indication state that ground gas should not be a problem but confirmation is awaited when the monitoring has been concluded.
- I agree with the conclusions/recommendations in section 10 of the report and consider that the suggested further works detailed in section 11 of the report be undertaken prior to development commencing. This can be secured through condition.
- Conditions should be attached to any permission: (i) limiting operating hours for construction to between 8am and 6pm Monday to Friday, and between 8am and 1pm on Saturdays only; and (ii) requiring a dust management plan.
- The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.
- The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

**6.2** *Lead Local Flood Authority* – No objections. Comments as follows:

- The applicant proposes to discharge of surface water via a sustainable drainage system and existing watercourse as the geology of the site prevents the use of infiltration.
- The peak runoff rate from the developed site is to be restricted to 5 l/s/ha (14.5 l/s for the whole developable area).
- The runoff volume from the developed site for the 1 in 100 year 6 hour rainfall event must not exceed the greenfield runoff volume for the same event. For a whole or part brownfield site, greenfield runoff volume and/or 70% of demonstrable existing positively drained runoff volume

for those rainfall events will be permitted however greenfield runoff volume should be achieved where possible.

- Should infiltration methods not be suitable and it is not possible to achieve greenfield runoff volume then it must be demonstrated that the increased volume will not increase flood risk on or off site.
- Site design must be such that when SuDS features fail or are exceeded, exceedence flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedence or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedence routes that avoid risk to people and property both on and off site. A plan showing exceedence flow routes is required.
- The flood risk assessment states that allowances of 30% for climate change and 10% for urban creep have been used.
- A condition is recommended to ensure suitable surface water management.

6.3 *Natural England* – Advised that they have no comment to make on the application as the development is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

6.4 *North Yorkshire Fire & Rescue Service* – The proposals/plans must meet the requirement B5 of Schedule 1 to the Building Regulations 2000 (as amended), access and facilities for the fire service.

6.5 *North Yorkshire Police* – No objections. Comments as follows:

- The proposed layout includes a number of 'Designing out Crime' features which will reduce the opportunity for crime and disorder. It has outward facing frontages providing natural surveillance over streets and public areas, front entrances are readily visible, parking is provided within curtilages, rear gardens are plotted against each other, footpath links are positioned to ensure surveillance and the majority of front gardens and corner plots will be effectively defined to create defensible space.
- Further consideration should be given to the following elements: (i) affordable housing is concentrated in two clusters which limits its dispersal among the open market housing; (ii) the height of intermediate boundary treatments between dwellings should be 1.8m (with the top 300mm comprising a trellis) for security reasons; (iii) it is unclear how mid-terraced plots will service their rear gardens unless alleyways are provided; (iv) the front garden of plot 24 should be clearly defined by a boundary treatment.
- Various recommendations are made with respect to cycle storage, the positioning of lighting, landscaping and utility meters, and achieving Secured by Design accreditation.
- A condition should be attached to any permission granted setting out how the above measures will be addressed as part of the development.

6.6 *NYCC Archaeologist* – No objections comments as follows:

- The development area is a large greenfield site on the outskirts of the medieval town of Skipton. There has been no previous archaeological work within the site boundary.
- The developer submitted an archaeological desk based assessment with the application. The document provided a summary of the archaeology of the general area. It concluded that the site has archaeological potential, particularly for prehistoric to Roman remains. I support this conclusion.
- The desk based assessment stated that the archaeological potential at the site cannot be confirmed without further site investigation. The NPPF provides guidance that where a desk based assessment is insufficient to characterise the archaeological potential then a scheme of field evaluation should be undertaken (NPPF para. 128). In this case I advised that this evaluation should comprise geophysical survey, to be followed by trial trenching, if the results warranted further investigation. This advice is still reasonable, however it is fair to say that

the type of archaeology expected (i.e. domestic evidence from the prehistoric and Romano-British periods), would be unlikely to form a constraint on development, although this could not be ruled out entirely at this stage.

- If the District Council is minded to approve the application, then it is essential to ensure that the archaeological evaluation work is completed prior to the commencement of development, and that appropriate mitigation is also agreed in advance and implemented either before and/or during development, as appropriate to the findings of the evaluation. These works could be secured through the imposition of an appropriate planning condition.

6.7 *NYCC Education* – Requested a financial contribution of £329,703 for primary education facilities as a result of the development. No contribution is sought for secondary school facilities.

6.8 *NYCC Highways* - No objections. Comments as follows:

- The principle and detail of this development has been subject to considerable discussion since 2016, including Newmarket St/Otley Rd junction. The principle of the Transport Assessment has been accepted. With regard to the layout, one of the 3 pedestrian links to Moorview Way will be a 4m wide shared footway / cycleway / emergency access with bollard. However, as the 3 cul de sacs to the north of the site do not have turning heads, only footways would be adopted in these cul de sacs.
- Conditions are recommended with respect to: (i) detailed plans for the road and footway layout; (ii) the construction of roads and footways prior to first occupation; (iii) the construction of the site access; (iv) visibility splays for pedestrian and vehicle traffic; (v) off site highway works; (vi) provision of access, turning and parking areas; (vii) restricting the conversion of garages to living accommodation; (viii) a Travel Plan; (ix) a construction management plan.

6.9 *CDC Sports Development Officer* – No objections. Comments as follows:

- Following the viability appraisal and negotiations with the developer the scheme will provide:
- Approximately 2.7ha of on-site public open space that will require a full scheme layout, design and specification for the laying out of the on-site POS as well as new access point from the scheme to link to the path that goes to Shortbank Recreation Ground, plus a management and maintenance for this space in perpetuity.
- An off-site contribution of £140,000, to improve the quality of identified local deficiency to meet the play and recreation needs generated by the development. This will need to be included in a S106 agreement.

6.10 *Sport England* – Advised that they have no comments to make as the proposed development does not fall within their statutory or non-statutory remit.

6.11 *CDC Strategic Housing* – Support the application. Comments as follows:

- The provision of affordable housing at a rate of 20% has been established through an assessment of the scheme's viability.
- The Council's SHMA identifies a tenure split of 25% shared ownership to 75% affordable rent.
- The Bickleigh and Alnwick house types cannot be offered for affordable rent as 3 and 2 bed dwellings due to their size and recent changes to welfare reform relating to the payment of Housing Benefit. It is, however, possible for these to be provided as shared ownership units.
- The housing mix should comprise: (i) 4 x 2 bed Alnwick and 2 x 3 bed Bickleigh as shared ownership units; and (ii) 4 x 3 bed Hanbury and 10 x 2 bed Brampton as affordable rented units.
- The revised layout and affordable housing provision shown on plan reference Rev J is in line with the above requirements and is therefore acceptable.

- 6.12 *CDC Tree Officer* – No objections. Comments as follows:
- It appears that all the existing trees, except possibly G5, are to be retained and the development is positioned well away from the trees which are mostly sited around the perimeter. There is a proposed planting scheme which is only indicative and no detail has been provided apart from species lists.
  - Conditions should be attached to any permission granted requiring: (i) a detailed scheme of planting and specification/method statement for approval prior to implementation in order to provide screening of the development in the wider landscape; (ii) that all trees to be retained are protected by fencing in accordance with BS 5837 (2012) for the duration of the development.
- 6.13 *Yorkshire Wildlife Trust* – Comments as follows:
- The site does have value for biodiversity and in particular the areas of higher quality grassland should be protected. There may be some potential for SUDS which could reduce runoff and support biodiversity, the present drainage plan appears to mainly depend on a large tank for attenuating run off. I would recommend that opportunities for a more ecological approach to water storage are considered although it will be important that any additional water storage does not damage areas of higher quality grassland.
  - The suggestions on page 18 and 19 of the Additional Ecological Survey by Brooks Ecological should be conditioned including the conditioning of an Ecological Management Plan and the presence of an Ecological Clerk of Works during the construction phase of the development.
- 6.14 *Yorkshire Water* – No objections. Comments as follows:
- The Flood Risk Assessment (prepared by Haigh Huddleston Associates - Report E15/6358/FR01A dated July 2016) confirms: (i) Sub-soil conditions do not support the use of soakaways; (ii) therefore, surface water will discharge to a watercourse (Jenny Beck) which exists near to the site - connection subject to Environment Agency / Local Land Drainage Authority / Internal Drainage Board requirements.
  - The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network. An existing 6" diameter live water main is currently laid in a footpath of Aldersley Ave which may be affected by the site access improvements.
  - Recommend that a condition should be attached to any permission granted requiring: No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority (reference Flood Risk Assessment (prepared by Haigh Huddleston Associates - Report E15/6358/FR01A dated July 2016). This is to ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

## **7. Representations**

- 7.1 The appropriate neighbouring properties were notified of the application by letter. In addition, as the proposal represents a departure from the provisions of the CDLP and involves major development, notices have also been posted at the site and in the local press. A total of 15 letters have been received in objection to the application. The points made in the letters are summarised as follows:

### **Principle of development:**

- The requirement for housing in Craven over the next 15 years is likely to be reduced due to changes in Government figures. Until that requirement is known, this application should be refused as it is unnecessary.

- The development would result in the loss of a greenfield site which provides good grazing land.

#### **Character and appearance:**

- The site is a prominent feature in the surrounding landscape, particularly in elevated views from the Roman road. A recent TPO placed on trees on Lytham Gardens indicates the value of the landscape in visual terms and this is an important draw for tourism. The proposed development would result in the urbanisation of an open field which would be unsympathetic to the character of the surrounding landscape.
- The three storey height of some of the dwellings, combined with their elevated siting, will tower over existing houses on Moorview Way (especially the neighbouring bungalows) and would result in a mismatched appearance.

#### **Highways:**

- The proposal includes access to the development via the cul-de-sacs of Moorview Way. The original plans showed only pedestrian and emergency access between the development and Moorview Way and there is no reason for this to be changed. Moorview Way is unsuitable to provide vehicle access for a development of the size proposed and would remove the existing footpath which links with the nearby recreation ground.

**Officer note:** The only means of vehicle access will be from Aldersley Avenue. The development does not include any provision for vehicles (except for emergency service vehicles) to access the site from Moorview Way. The only access onto Moorview Way will be for pedestrians and cyclists. Vehicle access onto Moorview Way would be restricted by a lockable bollard which could only be opened by the emergency services.

- The development will generate at least 194 extra vehicle movements based on each household having two cars. This level of traffic, when considered in combination with the nearby Elsey Croft development, would result in unacceptable congestion of the surrounding highway network, especially at the pinch point on Shortbank Road and on the roundabout junction with Newmarket Street approaching the town centre.
- This additional congestion arising from the development would exacerbate existing road safety issues arising from speeding vehicles and restricted visibility for the one-way system under the railway bridge on Shortbank Road which is an accident hotspot. Accordingly, the development will have a detrimental impact on highway safety for both vehicle and pedestrian traffic, including children travelling to nearby nurseries.
- The development should include a link to Otley Road in order to alleviate traffic pressures on Shortbank Road and on Newmarket Street.
- The traffic survey in the transport assessment was undertaken in 2012 and is out of date as it does not include the traffic from the Elsey Croft development.

**Officer note:** Sections 6.2 and 6.3 of the Transport Assessment make clear that traffic surveys were undertaken in 2015 and that baseline traffic flows include the trip generation estimations set out in the TA for Elsey Croft as a committed development.

#### **Amenity:**

- The layout would place new two storey dwellings in close proximity to the houses and gardens of existing dwellings (including bungalows) on Moorview Way. This will result in the development adversely affecting current occupiers due to loss of outlook, overlooking and overshadowing.
- The development also includes three storey properties on elevated land to the south which will affect the outlook from surrounding dwellings. Views across presently open fields will be replaced with housing.

- The orientation, height and elevated siting of the proposed houses would result in an unacceptable impact on the privacy of existing residents through overlooking (particularly between bedrooms) and will also be overbearing, particularly to neighbouring bungalows. Therefore, the conclusion in paragraph 9.42 of the report (as published for the January committee agenda) is flawed.

**Other matters:**

- There are a lack of public services (e.g. schools and doctors) and infrastructure (e.g. drainage) to support the number of additional residents that would be created by the development.
- Standing water is frequently seen on the site. Developing the land and increasing its impermeable area will result in excess runoff which is likely to have implications for flooding both in the immediate vicinity of the site and further downstream. Surrounding watercourses and drains have reached their capacity.
- The development does not include any 1 bed properties or bungalows which are in short supply and are required to meet the needs of Skipton's population.

**8. Main Issues**

8.1 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development which should be seen as the “golden thread” to guide decision making. The NPPF makes clear that, for decision taking, this means:

- 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 the Framework indicate development should be restricted.

8.2 Having regard to the relevant national and local planning policies, the site's designation within the CDLP, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:

1. The principle of residential development on the site.
2. The development's effects on the character and appearance of the area.
3. The development's impact on the amenity of surrounding occupiers.
4. The scheme's effects on highway safety.
5. Whether the development would deliver appropriate planning gain contributions in accordance with relevant national and local planning policies.
6. Other material considerations relating to flooding, ecology, trees and archaeology.

**9. Analysis**

**Procedural matters**

9.1 Amended plans have been submitted to the Council in response to representations made by consultees and members of the public. The application has been assessed in accordance with these amended plans (a list of which is set out in condition 2). The principal changes to the scheme arising from these amendments are summarised as follows:

- The total number of dwellings has increased from 97 to 98 to allow the provision of a greater number of smaller, affordable units to the northeast corner of the site.
- The number of affordable homes has increased from 10 plots to 20 plots following agreement of viability parameters and affordable housing mix.
- Three points of connection have been included onto Moorview Way. One of these (at 4m in width) would provide a shared footway, cycleway and emergency access, with vehicle access to be restricted through the use of a lockable bollard. The other 2 points of connection would only be wide enough for pedestrians to access the footway flanking the southern edge of Moorview Way.
- Additional visitor parking and speed reducing features have been introduced within the estate road.
- A footpath connecting with the playground on Lytham Gardens has been removed due to third party land restrictions as highlighted by the Town Council.

#### Principle of development

##### ***Site designation and policy context:***

- 9.2 The site falls outside the development limits defined on the CDLP Proposals Map and, accordingly, is within the open countryside. CDLP policy ENV1 indicates that the Council will protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development. The policy states that “large scale development in the open countryside will only be permitted where it is demonstrated that there is an overriding need for the proposal due to the requirements of the utility services, transport, minerals supply or national security.”
- 9.3 Despite its designation in the CDLP and the restrictions set out in policy ENV1, the land is allocated as a housing site with associated green infrastructure under draft policy SP5 of the ELP (site reference SK013). The policy identifies that the site is capable of delivering approximately 100 dwellings over a developable area of 3.1 hectares, along with 2.6 hectares of open space. The delivery of housing on this site is anticipated in the short term (1-5 year) period of the plan. In addition to this allocation, ELP policy SP5 sets out six development principles for the site.
- 9.4 Paragraph 215 of the NPPF states that decision takers may give weight to relevant policies in adopted development plan documents according to their degree of consistency with the Framework. As the CDLP was adopted in 1999, in instances where conflicts between the Local Plan and the NPPF arise, paragraph 215 of the NPPF makes clear that the policies in the Framework must take precedence.
- 9.5 Paragraph 216 of the Framework identifies that decision-takers may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.6 The weight to be afforded to the ELP (albeit that this referred to the pre-publication version dated June 2017) has been assessed at two recent appeals – a Public Inquiry at Elsey Croft (appeal reference APP/C2708/W/16/3150511 concluding on 3<sup>rd</sup> August 2017) and a hearing at Holme Lane (appeal reference APP/C2708/W/17/3166843 concluding on 2<sup>nd</sup> August 2017). Paragraphs 9 and 38 of the respective Inspector’s decisions conclude as follows with respect to the weight to be attached to policies contained within the June 2017 version of the ELP:

- “Policy H2 of the emerging Craven Local Plan seeks affordable housing at a rate of 40% for schemes of 11 dwellings or more. However, **it is at a very early stage of preparation** with the consultation period for the pre-publication consultation draft concluding at the time of the inquiry. The consultation exercise identified a number of objections to Policy H2, and **so I am of the view that the policy can carry no more than very limited weight.**”
- “There is no dispute between the parties that **only limited weight can be given to draft Policy ENV13 of the emerging Local Plan.**”

- 9.7 Given the conclusions in the above Inspector’s decisions, it is clear that only “very limited” to “limited” weight can be attached to the ELP due to its “very early stage of preparation”. Nevertheless, policy SP5 of the ELP indicates the Council’s direction of travel with respect to the development of this site in the short term of the plan period and identifies a number of general principles which can carry some (albeit ‘limited’) weight in the decision making process. In particular, in allocating the site for residential development, the evidence base to the ELP has concluded that the land is, as a matter of principle, a sustainable location for housing on the edge of the Tier 1 settlement of Skipton.
- 9.8 With reference to the adopted CDLP, the overarching objective of policy ENV1 is to protect the character and quality of the countryside by preventing sporadic, unrestricted development within it. This objective is broadly in accordance with the fifth core land-use planning principle in paragraph 17 of the Framework which requires that the intrinsic character and beauty of the countryside is recognised.
- 9.9 However, the NPPF also makes allowances for other types of development in rural areas which do not fall strictly within the categories identified in policy ENV1. In particular, paragraph 55 of the NPPF recognises that, depending on its location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. With respect to housing in rural areas, the main aim of paragraph 55 is to avoid “new isolated homes in the countryside unless there are special circumstances”, though paragraph 29 of the Framework also recognises that “opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”
- 9.10 The proposed development does not fall comfortably within any of the categories set out in CDLP policy ENV1 and, accordingly, represents a departure from the adopted Local Plan. It does not, however, follow that this in itself provides sufficient grounds to resist the principle of residential development, particularly as there is conflict between CDLP policy ENV1 and paragraph 55 of the NPPF which is supportive of housing in rural areas providing that it would not lead to the introduction of new isolated homes in the countryside.
- 9.11 There is a strong indication through the site’s allocation for housing in the ELP that the principle of residential development in the immediate (short) term of the plan period will be permissible in accordance with the criteria set out in ELP policy SP5. The proposed development, with respect to the number and density of the dwellings, the developable area of the site and the area to be provided as open space, would accord with the general development principles identified in ELP policy SP5. In addition, the site would occupy a sustainable location on the edge of Skipton which is readily accessible to shops, services and public transport by modes of access other than private car.

#### ***Housing Land Supply:***

- 9.12 Paragraph 47 of the NPPF requires local planning authorities to boost significantly the supply of housing by identifying “a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply.”
- 9.13 Paragraph 49 of the NPPF indicates that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing

should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

9.14 The Council’s latest ‘Five Year Housing Land Supply Methodology and Report’ (published 11 May 2017) indicates that it is able to demonstrate a supply equivalent to 5.49 years. This position has subsequently been updated through the submission of a Statement of Common Ground on 31 July 2017 in connection with an appeal for a residential development at Holme Lane (reference APP/C2708/W/17/3166843) to indicate a housing land supply equivalent to 5.28 years.

9.15 The abovementioned appeal provides the most up-to-date independent assessment of the Council’s housing land supply position. Paragraph 39 of the Inspector’s decision for that appeal concludes that:

- “As I find the evidence before me relating to housing land supply to be inconclusive **I have adopted a precautionary approach on the basis that five year supply has not been demonstrated**” (emphasis added).

9.16 Another appeal decision for land to the southeast of Colne Road, Glusburn (reference APP/C2708/W/17/3177857) issued on 22 November 2017 concludes, at paragraph 10, as follows with respect to the Council’s current housing land supply position:

- “The Council states that they can demonstrate a five year housing land supply, although they further state that this position has not yet been subject to examination in public. **Whilst I accept that the Council’s evidence has not been tested, the appellant has offered no substantive evidence to the contrary, and so I have been given no proper basis on which to do anything other than accept the Council’s position**” (emphasis added).

9.17 Unlike the Holme Lane appeal where the appellant successfully challenged the Council’s housing land supply position at an informal hearing, the appellant for the Colne Road appeal (dealt with through the written representation procedure) did not submit any evidence to refute the Council’s position and, accordingly, failed to convince the Inspector otherwise. As a result, it is considered that the Inspector’s conclusions in respect of the Holme Lane appeal provide the most robust assessment of the Council’s current housing land supply position. Moreover, paragraph 9 of the Inspector’s decision for the Colne Road appeal makes clear that this was dismissed on the grounds of the development’s “unacceptable visual harm [...] in the open countryside” and the outcome did not turn on the question of the presence or absence of a 5 year supply of housing.

9.18 Given the above, and as the Council’s position concerning the presence of a five year supply of housing land is marginal, it is considered that the most robust course of action is to adopt the precautionary approach taken by the Inspector in the Holme Lane appeal and assess this application on the basis that the Council is unable to demonstrate a five year supply of housing land.

***Conclusion concerning principle of development:***

9.19 The site is located within an area of open countryside and the proposal represents a departure from the provisions of policy ENV1 of the CDLP. However, the site is allocated for housing under policy SP5 of the ELP and the proposal follows the general development principles set out in that policy with respect to the number and density of housing and the extent of developable and open space areas. The development would occupy an edge of settlement location which is well related to existing shops, services, employment opportunities and public transport in Skipton in order that it would not result in the introduction of isolated homes in the countryside. In addition, it is not considered that the Council is able to robustly demonstrate a 5 year supply of housing land for the purposes of paragraph 47 of the NPPF. In these circumstances, the provisions of paragraph 14 of the NPPF are engaged and it follows that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

***Character and appearance:***

9.20 The overarching objective of CDLP policy ENV1 is to protect the character and quality of the countryside by preventing sporadic, unrestricted development within it. This objective is broadly in

accordance with the fifth core land-use planning principle in paragraph 17 of the Framework which requires that the intrinsic character and beauty of the countryside is recognised.

9.21 CDLP policy ENV2 sets out four criteria for developments in the open countryside. While the opening text to the policy indicates that policy ENV2 is most directly applicable to development deemed acceptable in principle under policy ENV1 (which is not the case with this development), it contains more detailed general design criteria for developments in the open countryside which are considered to be relevant in assessing the scheme's layout. Specifically, criteria (1), (2) and (4) of the policy indicate that development within the open countryside will only be permitted where:

- It is compatible with the character of the surrounding area, does not have an unacceptable impact on the landscape and safeguards landscape features including stone walls and hedgerows, worthy of protection.
- The design of buildings and structures and the materials proposed relate to the setting, taking account of the immediate impact and public views of the development.
- Services and infrastructure can be provided without causing a serious harmful change to the rural character and appearance of the locality.

9.22 In addition, the second and fourth development principles for site SK013 set out in ELP policy SP5 indicate that:

- Development proposals for this site shall incorporate green infrastructure in the west, south and south east of the site to provide a buffer to the open moorland to the south and east, enhance biodiversity and provide a green corridor connection with the existing residential area at Aldersley Avenue and the play park to the north west of the site.
- The site is in a prominent location on the edge of Skipton. Development proposals should be carefully and sensitively designed to minimise visual impact on the character and appearance of the area.

9.23 Paragraph 58 of the NPPF sets out six principles that developments should follow in order to achieve good design and paragraph 64 of the Framework indicates that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

***Landscape character:***

9.24 The site currently comprises open pastureland which is classified as "open Moorland and Moorland Fringe" (and under the subsection of "Moorland") in the 'Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal' (October 2002). Paragraph 4.7.2 of the Landscape Appraisal identifies 5 key characteristics of this landscape type as follows:

- "Gently rolling landform on high fell tops;
- Unenclosed upland moorland habitats of acid moorland vegetation often dominated by moorland grass;
- Trees mainly absent with occasional wooded gills following topography;
- Large-scale, open, exposed landscape with expansive views over surrounding hills;
- Sense of elevation, isolation and exposure."

9.25 The northern boundary of the site is viewed alongside housing at a lower level on Moorview Way and Elsey Croft and the western/southwestern boundary flanks dwellings occupying an elevated position on The Oval, Hillside Crescent and Lytham Gardens. Accordingly, these areas of the site are seen against the built-up periphery of Skipton in both near and distant views.

9.26 In contrast, the southern and eastern boundaries of the site border open pastureland at the point of transition between the urban and rural fringes on the edge of Skipton. When combined with the rising ground level to the south/southeast of the site (though levels continue to rise by between 2.5m and 10m towards the crest of a hillside outside the site), views from the south and east give a

greater impression of distinction between urban and rural settings and increase exposure in the surrounding landscape.

- 9.27 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the development's visual effects from 10 vantage points around the site in both near and distant views. Figure 1 of the LVIA also includes a landscape masterplan which identifies opportunities for strengthening of landscaping within the site to provide screening and enhancement of open spaces. The LVIA makes the following conclusions with respect to the development's effects on the surrounding landscape:
- "Effects on character notably reduce within relative close proximity of the Site owing to the semi-enclosed nature of the surrounding suburban landscape, particularly to the north and west. From the south and east the new development would form the foreground to an existing area of residential development. Within the wider landscape context the effects on landscape character would be less apparent."
  - "The key receptors are residents in immediately adjacent properties and people using the Dales High Way long distance trail that passes along the northern edge of Skipton Moor to the south of the Site. There would be a major visual effect upon the private visual amenity of residents that overlook the Site. Separation would generally be provided from existing properties by rear gardens or new buffer planting."
  - "The proposed development responds sympathetically to the local landscape and the surrounding residential context and has been designed to minimise visual intrusion through the avoidance of developing the most visible part of the site and the rounding off of the existing built form. The proposed layout also provides a positive green infrastructure network for footpaths and access to a new public open space. The proposal would generally be discreet in the wider landscape and forms an appropriate development within the eastern portion of Skipton."
- 9.28 The photomontages in the LVIA include viewpoints both immediately adjacent to the site and from distant vantage points up to 3.5km away. In wider landscape terms, it is apparent that the most sensitive views of the site would be from vantage points to the north (around the A6131 - The Bailey) and south (Dales High Way on Skipton Moor).
- 9.29 In views from the north, the site is seen behind the Elsey Croft development which appears as a prominent foreground feature marking the edge of the settlement on higher ground in relation to Moorview Way. While the proposed development would envelope elevated land to the south of Elsey Croft, this pattern of housing 'stepping up' onto higher ground is a characteristic of the existing settlement pattern further west of the site. Despite the southerly rise in levels across the site, this steepens considerably beyond the site boundary up to Skipton Moor. The development includes the provision of a wide L-shaped buffer of open space, the depth of which ranges between 30m and 60m alongside the southern perimeter. Importantly, this buffer incorporates the highest land on the southern fringes of the site where no development is proposed. The landscape masterplan in Figure 1 of the LVIA also provides for the introduction of a planting buffer alongside the eastern and southern edges of the housing to increase screening within this area. As a result, the development's effects of 'creeping' up the moorland would be substantially mitigated.
- 9.30 In views from the Dales High Way to the south the development would be seen against the backdrop of existing housing on Moorview Way and Elsey Croft which extends to the east of Shortbank Road. Development off Aldersley Avenue and Lytham Gardens would also provide a backdrop to the west, though the significant buffer of open space to the western fringes of the site would have the effect of somewhat detaching the development from this urbanised fringe. Instead, the development would be viewed as a southerly extension to Moorview Way on land which, in vantage points from Dales High Way, would appear as low lying. From this vantage point, and having regard to the mitigation provided by buffers of landscaping and open space to the southern fringe, the site is seen as being contained by the built-up edge of Moorview Way and the change in levels is less apparent.

- 9.31 In closer vantage points from Moorview Way, the LVIA recognises that there would be a “major visual effect” on views from surrounding dwellings and to users of the footpath through to Shortbank Close. This is, however, a result of the high magnitude of change which would be experienced as a result of altering the current view from the rear/side of these dwellings. It is not to say that the development would have a “major visual impact” impact on the amenity of those properties, but that the change in their view from an open, undeveloped field to a residential estate would represent a high magnitude of change in comparison to the existing scenario. This would be the case for any development proposed on an open field where a current, unimpeded view would be interrupted by the introduction of buildings.
- 9.32 The proposed development, by virtue of its size and scale, would result in a significant incursion of urbanisation into the open countryside which would erode its openness and diminish some of the characteristics of the Moorland landscape of which it forms a component. This is, however, an inevitable consequence of any greenfield development in the open countryside and it does not follow that this, in itself, should translate to a refusal of permission. In this case, the harm to the surrounding landscape would be substantially mitigated by: (i) the siting of housing on predominantly lower lying land which is closely related to and seen in conjunction with the built-up edge of the settlement comprising existing dwellings on Elsey Croft and Moorview Way; and (ii) the retention of a deep undeveloped buffer of open space to the southern and western areas of the site, including the introduction of landscaping within these areas. When considered in combination, these measures would ensure that the level of harm to the surrounding landscape is minimised in order to preserve a sense of naturalistic openness to the most sensitive areas of the site.
- Layout, scale and design:***
- 9.33 The proposed dwellings would be laid out in three main parcels following an L-shaped layout as follows:
- Parcel A – 42 plots to the north side of the estate road bordering Moorview Way – all but four of which would be two storeys in height (with the remainder being split level 2/3 storey).
  - Parcel B – 32 plots meandering around the southern/south-eastern fringe of the estate road including a mix of 2, 2.5 and 2/3 storey units.
  - Parcel C – 24 plots to the southwestern parcel between two cul-de-sacs comprising a mix of two and 2/3 storey units.
- 9.34 The layout of the development would place the proposed dwellings alongside the existing built-up fringe of Moorview Way, with open spaces providing buffers straddling Jenny Beck and the adjoining recreation ground to the west, and with higher ground to the south.
- 9.35 Dwellings on Moorview Way to the north include a mix of detached, semi-detached and terraced two storey houses to the western end and bungalows to the eastern stretches of the cul-de-sac which are mostly detached. The overwhelming majority of the proposed houses bordering Moorview Way would be two storeys in height. The exception to this is four split level 2/3 storey plots orientated at right angles to detached bungalows at the eastern end. Elsewhere, split level 2/3 storey dwellings would be grouped together on higher land at the edges of parcels B and C and 2.5 storey plots would be located to the south of 2 storey dwellings.
- 9.36 The proposed development would necessitate re-contouring of the current topography to create level thresholds for the new dwellings. In the majority of cases, and particularly on the higher parts of the site, this would involve excavating up to 4m of ground to reduce the steepness of slopes. Some ground raising of up to approximately 2.5m would, however, be required on parcel A flanking Moorview Way. When considered in combination with these level changes, the location, distribution and grouping of housing within the site would create character areas which utilise existing topographical changes to minimise the visual impact of taller house types and facilitate a continuous ‘stepping down’ of ridgelines towards Aldersley Avenue and Moorview Way.
- 9.37 The external surfaces of all house types would comprise artificial stone walls below slate effect roofs. Elevations would comprise simple facades with a sense of rhythm between dwellings afforded

through consistent windows proportions and protruding garages, porches and canopies to the ground floor. Where dormers are proposed (four plots in total), these would comprise small dormer windows located centrally and discreetly within the roof space.

- 9.38 The proposal, by virtue of its layout, scale, materials and design, would be compatible with the density and character of surrounding development and would maintain a spacious, open aspect and landscape strengthening to sensitive areas adjoining open pastureland. The proposed housing would be viewed against the backdrop of dwellings on Moorview Way and Elsey Croft to the north and would be assimilated in the surrounding landscape as an extension to the built-up fringe of the settlement. Accordingly, it is not considered that the development would have any unacceptable harmful effects on the character and appearance of the area or the wider landscape.

Amenity:

- 9.39 There are no saved Local Plan policies setting out specific criteria for residential developments outside Development Limits with respect to their effects on the amenity of existing occupiers. Nevertheless, the fourth bullet point to paragraph 17 of the NPPF states that one of the core planning principles of the Framework is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 9.40 The closest neighbouring dwellings border the northern boundary of the site on Moorview Way. These include a mix of two storey houses (western end) and bungalows (eastern end). A narrow footpath linking Moorview Way with the recreation ground on Shortbank Close intervenes between the side of two storey dwellings at nos. 170, 172, 228, 230 and 272 Moorview Way and the site. While two storey houses are orientated at right angles with their side elevations facing onto the site, bungalows to the eastern end (with the exception of nos. 274 and 296 which maintain a side-facing aspect) back onto the site. These bungalows are, however, set on higher ground in comparison to the neighbouring two storey houses on Moorview Way.
- 9.41 With the exception of four split-level 2/3 storey plots, all dwellings bordering Moorview Way would be two storeys in height. Where side-to-side relationships would occur between existing and proposed dwellings, these would be laid out in broad alignment with each other (incorporating flanking gables) and a minimum separation of 11m would be achieved. Where back-to-back or back-to-side relationships are proposed a minimum spacing of 22m would be achieved.
- 9.42 Principal (habitable room) windows are proposed in the front and rear elevations of the dwellings. The only windows in side elevations facing towards Moorview Way would be for non-habitable bathroom and landing areas. The level of spacing achieved between the existing and proposed dwellings would be in excess of that currently afforded between houses on Moorview Way (e.g. a back-to-back spacing of approximately 19-19.5m between nos. 272/230 and 228/172) and, accordingly, would be compatible with the density and spacing of surrounding development. It is also noted that the landscape masterplan in Figure 1 of the LVIA shows the introduction of a planting buffer along the northern site boundary where it flanks bungalows on Moorview Way in order to provide screening between these buildings.
- 9.43 While objections have been received from neighbouring occupiers concerning the loss of views across open fields, it is an established principle of the planning system that the ‘loss of a view’ is not a sustainable reason to refuse planning permission. Instead, the question is whether a proposed development, by virtue of its specific characteristics and relationship with surrounding buildings, would have an unacceptable impact on the amenity of neighbouring occupiers which ought to be protected in the wider public interest.
- 9.44 Although dwellings on the site would occupy an elevated aspect (up to *circa* 2.5m) in relation to properties on Moorview Way, the level of separation, orientation, fenestration arrangement and scale of the proposed dwellings would ensure that the development does not have any undue effects on the privacy and amenity of neighbouring occupiers through overlooking, overshadowing or loss of outlook. Similarly, commensurate spacing would be achieved between dwellings within the site in order to ensure appropriate living conditions for future occupiers.

- 9.45 All detached garages would be of a single storey height reaching 2.6m to eaves and 4.5m to ridge. None of these garages would be positioned adjacent to existing dwellings on Moorview Way and their siting and height would ensure that they do not appear as oppressive or imposing features in the outlook of surrounding properties.

Highways:

- 9.46 CDLP policy T2 indicates that development proposals will be permitted provided that they are appropriately related to and do not generate volumes of traffic in excess of the capacity of the highway network.
- 9.47 In addition, the fifth development principle for site SK013 set out in ELP policy SP5 indicates that:
- Access to the site is to be gained from Moorview Way. A traffic impact assessment will be required.
- 9.48 The second and third bullet points to paragraph 32 of the NPPF stipulate that planning decisions should take account of whether:
- Safe and suitable access to the site can be achieved for all people.
  - Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

**Access:**

- 9.49 Vehicle access is to be gained through the easterly extension of Aldersley Avenue into the site from its current junction with The Oval and Hillside Crescent. The existing crossroad junction would be realigned to give priority to traffic travelling along on Aldersley Avenue and the creation of priority (give way) junctions for The Oval and Hillside Crescent. Visibility splays of 2.4m x 40m would be achieved at the crossroad junction with Aldersley Avenue. All existing garages would be demolished to provide a 5.5m wide estate road flanked by 2m footway. Traffic calming features would be introduced along the estate road in the form of speed humps and raised tables to slow vehicles when approaching internal and external junctions.
- 9.50 Additional access for pedestrians and cycles would be achieved through the provision of three separate linkages permeating through the northern boundary onto the footpath running between Moorview Way and Shortbank Close. Two linkages would be 2m in width and a third would be 4.5m wide to provide a secondary access for emergency vehicles (with vehicle access restricted by a demountable bollard).
- 9.51 The Local Highway Authority have raised no objections to the proposed means of access to the site subject to conditions requiring details of access construction, junction realignment, visibility splays and delivery of off-site highway works.
- 9.52 ELP policy SP5 suggests that access to the site should be gained from Moorview Way. A number of objections have been received from neighbouring residents concerning any proposed means of vehicle access between the site and Moorview Way. The application is accompanied by a Transport Assessment (TA) which includes a design for the realigned crossroad junction onto Aldersley Avenue and the junction capacity assessment in the TA demonstrates that this access is suitable to serve the volume of traffic generated by the development. This is not contested by the Local Highway Authority who consider that a single point of access onto Aldersley Avenue is acceptable, subject to the introduction of appropriate traffic calming measures on the approach to the crossroad junction.
- 9.53 Notwithstanding the limited weight that can be attached to ELP policy SP5, it is not considered that there is any specific justification to require vehicle access to be taken from Moorview Way. Therefore, access between the site and Moorview Way will be restricted to pedestrians, cycles and emergency service vehicles.

9.54 The proposed access arrangements would provide a safe and suitable means of access to the site for vehicles, cycles and pedestrians in accordance with CDLP policy T2 and the NPPF. Appropriate conditions have been imposed as recommended by the Local Highway Authority.

***Traffic generation:***

9.55 With reference to the Trip Rate Information Computer System (TRICS) database, the TA estimates that the development would generate 59 vehicle movements during the AM peak (8am-9am) and 61 vehicle movements in the PM peak (5pm-6pm). This equates to approximately 1 vehicle movement per minute during peak periods.

9.56 With reference to census data for workplace destinations of residents in Skipton, the TA includes an analysis of trip distribution and assignment onto surrounding highways and junctions. The development's effects on the capacity of the following junctions during the peak morning and evening periods has been assessed. This analysis includes an 'in combination' impact assessment which combines predicted development traffic with other committed developments at North Parade (112 dwellings) and Elsey Croft (107 dwellings):

- Aldersley Avenue/Shortbank Road;
- Otley Road/Newmarket Street/Brougham Street;
- Newmarket Street/High Street/Swadford Street; and
- Swadford Street/Keighley Road.

9.57 The TA identifies that the development trip generations demonstrate that the maximum predicted peak hour quantum of trips at the Newmarket Street/High Street/Swadford Street and Swadford Street/Keighley Road junctions are 23 and 17 vehicles respectively. As the level of trips falls below the 30-movement threshold set out in DCLG guidance where further junction capacity analysis would be required, the TA concludes that the development would not have any material impact on the operation of these two junctions.

9.58 With respect to the Aldersley Avenue/Shortbank Road and Otley Road/Newmarket Street/Brougham Street (mini-roundabout) junctions the TA indicates that, in the worst case scenario (during the busiest 15 minute period), the development is predicted to increase the average queue by 1 vehicle and the average delay by 7 seconds at the mini-roundabout junction. The TA suggests that this impact will be imperceptible and "certainly not severe" as both junctions will continue to operate within capacity for 'with' and 'without' development flows. Accordingly, the TA concludes that no off-site mitigation works are required to alleviate the development's effects on surrounding junctions.

9.59 The TA includes an analysis of accident data for the 5 year period between 01.01.12 and 31.05.16 which covers areas on Shortbank Road and Newmarket Street up to the junction of Newmarket Street/Otley Road, including Aldersley Avenue and the proposed site access. The TA indicates that, over the 5 year period, there have been a total of 3 recorded accidents within the study area, all of which were 'slight' (i.e. none 'serious' or 'fatal'). Accordingly, the TA concludes that there is no specific accident concern in the area which would be exacerbated by the development.

9.60 The traffic generation, trip distribution, junction capacity and accident analysis undertaken in the TA provide a proportionate assessment of the development's impact on the surrounding highway network, both individually and in combination with other committed developments in the locality. The Local Highway Authority have not raised any objections to the conclusions set out in the TA and it is noted that the site is allocated for a development of up to 100 dwellings in the ELP. The TA demonstrates that the proposed development would not have a "severe" impact on the capacity of the surrounding highway network, either adjacent to or further away from the site. Accordingly, the development would not create conditions prejudicial to highway safety and is in compliance with the requirements of CDLP policy T2 and the NPPF.

9.61 The applicant has submitted a Travel Plan (TP) in support of the application. The TP considers the site's accessibility by modes of transport other than private car and identifies objectives, targets and a series of measures to encourage future occupiers to travel by more sustainable modes of

transport. The TP indicates that the implementation, monitoring and review of the TP will be achieved through the appointment of a Travel Plan Co-ordinator. The implementation of the TP can be secured through condition.

***Parking:***

- 9.62 The overwhelming majority of dwellings would benefit from a minimum of two in-curtilage parking spaces, with all properties having at least one space (excluding garage provision). Six visitor parking spaces would also be provided within laybys to the side of the estate road. The Local Highway Authority consider the level of parking provision to be sufficient. A condition has been imposed requiring the parking spaces for each dwelling to be constructed before the associated dwelling is first brought into use.

Developer contributions and viability:

- 9.63 Paragraph 204 of the NPPF indicates that planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 9.64 A development of the size proposed would be required to make contributions towards the delivery of affordable housing (at a rate of up to 30% of the total, subject to viability) and open space in accordance with ELP policy H2, policy SRC2 of the CDLP and the NPPF. The Local Education Authority (NYCC) have also requested an off-site financial contribution towards the provision of new primary school places.
- 9.65 With respect to ensuring that contributions to be achieved through planning obligation do not prejudice a scheme's viability, paragraphs 173 and 205 of the NPPF state that:
- Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
  - Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

***Affordable Housing:***

- 9.66 Paragraph 7 of the NPPF refers to the social dimension of sustainable development and the need to provide a supply of housing to meet the needs of present and future generations. Paragraph 17 indicates as a core principle the need to identify and meet the housing needs of an area. Paragraph 50 advises of the need to deliver a wide range of high quality homes and to create sustainable inclusive and mixed communities. It goes on to state that local authorities should plan for a mix of housing based on the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in different locations.
- 9.67 There is no adopted policy in the CDLP relating to the provision of affordable housing. However, policy H2 of the ELP (as updated following the Full Council meeting on 19.12.17) seeks affordable housing at a minimum rate of 30% for schemes of 11 dwellings or more. The weight which can be attached to ELP policy H2 (albeit in relation an earlier, pre-publication version of the plan which included a requirement for 40% affordable housing provision) has been tested at a recent public

inquiry relating to an appeal at Elsey Croft, Skipton (appeal reference APP/C2708/W/16/3150511). Paragraph 9 of the Inspector's decision concludes as follows in this respect:

- "Policy H2 of the emerging *Craven Local Plan* seeks affordable housing at a rate of 40% for schemes of 11 dwellings or more. However, it is at a very early stage of preparation with the consultation period for the pre-publication consultation draft concluding at the time of the inquiry. The consultation exercise identified a number of objections to Policy H2, and so I am of the view that the policy can carry no more than very limited weight."

- 9.68 Despite the absence of an adopted Local Plan policy concerning the provision of affordable housing and the 'very limited weight' which can be attached to ELP policy H2 (though its requirements have changed since the abovementioned appeal), the delivery of affordable housing is an objective of the NPPF and so is a material consideration which must be given significant weight.
- 9.69 The Council's Strategic Housing Market Assessment (SHMA) identifies a need for 145 affordable dwellings per annum in the district. While this cannot translate into a policy requirement, it is nevertheless clear that the evidence in the SHMA provides a strong indication of ongoing need for affordable housing in the district.
- 9.70 Taking all the above into account, it is considered that a requirement for 30% of the dwellings to be provided as affordable housing is justified in this case.
- 9.71 The applicant has provided a viability appraisal which outlines estimated build costs for the development and anticipated values/revenues. The appraisal indicates that the development would incur significant abnormal costs associated principally with the proposed land re-contouring works, retaining structures and bespoke foundations required to deal with topographical changes across the site.
- 9.72 The viability appraisal has been assessed by the District Valuation Office (DVO) and numerous alternations have been made to cost and revenue estimates as a result of negotiations occurring over several months. Following these negotiations, the DVO concludes that the development is capable of delivering affordable housing at a rate of 18.56% of the total (equating to 18 units). However, as the calculation in the DVO's report included an off-site contribution for education which, for the reasons set out below, cannot be required from this development, the level of affordable housing has increased to 20% of the total (equating to 20 units) in order to offset the omission of the education contribution. This position is accepted by the Council's Strategic Housing Service.
- 9.73 The applicant has identified 20 units (equating to 20% of the total) to be delivered as affordable homes in 2 pockets to the northeast and northwest corners of the site. These would comprise a mix of 14 x 2 bed; and 6 x 3 bed dwellings. The Council's Strategic Housing Service have indicated their support for this mix and distribution of affordable housing and consider that their tenure should include a split of 6 shared ownership units (the Alnwick and Bickleigh house types) and 14 affordable rented units (the Hanbury and Brampton house types).
- 9.74 The scheme's provision for 20 of the dwellings to be delivered as affordable housing, and the inclusion of an appropriate mix and distribution of that housing, is a substantial social benefit which weighs heavily in favour of the proposal. The delivery of affordable housing is to be secured through a planning obligation as set out in the resolution below.

### **Open Space**

- 9.75 CLDP policy SRC2 requires new residential developments to provide local open space "within or close to the site" commensurate with the size and nature of the development.
- 9.76 The submitted plans include the provision of approximately 2.7 hectares of informal open space on the site and connections through to the recreation ground on Shortbank Close. The Council's Sports Development Officer considers that on-site provision is sufficient to meet the development's requirements for informal play, but that an off-site contribution of £140,000 is necessary to meet the balance of youth and adult play and recreational space requirements under policy SRC2 which would not be met through the proposed on-site provision. This contribution would be used for the

provision, improvement and/or future maintenance of open space to address local deficiencies in youth and adult play and recreation space.

- 9.77 The delivery of the on-site public open space can be secured through an appropriately worded planning condition which will set alongside the wider landscape management plan for the site. The payment of the off-site contribution of £140,000 is to be secured through a planning obligation as set out in the resolution below.

### ***Education***

- 9.78 The Education Authority (NYCC) have requested that the applicant makes a contribution of £329,703 towards the provision of new primary school places in the area. Whilst paragraph 72 of the NPPF indicates support for developments that ensure “a sufficient choice of school places [are] available to meet the needs of existing and new communities”, this does not translate into a policy requirement for applicants to make financial contributions towards the delivery of new school places. While ELP policy INF6 will (once adopted) allow such contributions to be sought in the future by providing the policy basis for these, there is presently no adopted Local Plan policy to support this requirement. Accordingly, there are insufficient grounds to require the applicant to make the financial contribution requested by the Education Authority in accordance with the Community Infrastructure Levy Regulations.

### **Other matters:**

### ***Flooding***

- 9.79 The site falls wholly within Flood Zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding) as defined on the Environment Agency’s Flood Map. However, as it is over 1 hectare in area a Flood Risk Assessment (FRA) has been submitted with the application.
- 9.80 Paragraph 100 of the NPPF states that “inappropriate development in areas at risk of flooding [land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency] should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere”.
- 9.81 The submitted FRA considers the site’s risk of flooding from separate sources. As the whole of the site fall within flood zone 1, the risk from fluvial flooding is considered to be low. The FRA notes that the watercourse running on higher ground along the southern boundary (Jenny Beck) is “in a small valley and has a limited catchment area. Any flows in the beck are therefore contained within this valley and would not reach the proposed residential development.”
- 9.82 The FRA indicates that flood risks from overland flows and rainwater would be mitigated by a combination of: (i) flows from higher land to the south being channelled around the site via Jenny Beck; (ii) the introduction of storm water attenuation systems to deal with discharges up to a 1 in 100 year rainfall event (including allowances for climate change and urban creep); (iii) the inclusion of an overland flow flood route; (iv) the setting of floor levels for the dwellings a minimum of 300mm above existing ground levels.
- 9.83 The submitted FRA includes an indicative drainage strategy for the development based on the following principles:
- The geology of the site, and specifically the depth of overlying clays, means that infiltration systems and soakaways are not feasible.
  - A surface water discharge rate to the existing watercourse of 5 l/s/ha (14.5 l/s for the whole site) is proposed. This is below the current agricultural discharge rate and, accordingly, represents a betterment in comparison to the existing scenario. In order to reduce the discharge rate to this level, estimated volumes of storm water attenuation storage are 504 m³ for the 1 in 30 year storm and 724 m³ for the 1 in 100 year storm, with the latter rising to 1067 m³ when factoring in a 30% allowance for climate change.

- Attenuation systems can take the form of open swales, ponds or detention basis, or engineering solutions including underground tanks and over-sized pipes to store storm water and limit the rate of discharge from the site.
- If the site is developed with attenuation systems and an agreed discharge rate reduced to agricultural rates of discharge, there would be no increase in the flood risk to properties off site or in the drainage networks downstream of the site.
- Risks from overland flows can be minimised by providing a flood water route through the site to direct flood flows away from existing and proposed housing.
- The floor levels of the proposed buildings should be a minimum of 300mm above the existing ground level.

9.84 Neither the LLFA or Yorkshire Water have raised any objections to the proposed drainage scheme. Instead, conditions have been recommended requiring: (i) no discharge of surface water to the local surface water sewer; (ii) the submission of a detailed drainage strategy to restrict surface water discharge from the site to a rate of 5 litres per second per hectare as set out in the FRA, including appropriate flow attenuation mechanisms and 30%/10% allowances for climate change and urban creep respectively; (iii) a flood routing plan to deal with exceedance of peak rainfall events. This can be controlled through condition. Therefore, adequate measures can be put in place in order to ensure that the development poses no unacceptable risk in terms of flooding in accordance with the requirements of the NPPF.

### **Ecology**

9.85 The third bullet point to paragraph 109 of the NPPF indicates 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, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

9.86 The application is accompanied by an ecological survey which includes an impact assessment of the development's effects on protected habitats and species and sets out necessary mitigation measures. The survey identifies that the site is dominated by semi-improved grassland used by grazing animals which is of low ecological value. Habitats of greatest value include strips of 'less improved' grassland, trees and riparian habitats straddling watercourses alongside the southern boundary and to the west of the site. The ecology survey identifies that these areas have the potential to provide habitats for breeding amphibians (though not great crested newt), bats and common birds (associated with perimeter trees). No evidence of badger or water vole was present on the site. A separate survey for bats and white-clawed crayfish on the site concludes that:

- Bats – "Survey results suggest that bats do not have any dependence on Jenny Beck and that potential impacts to it during the construction or operation of the proposed development do not require specific mitigation in respect of this group. Bats clearly roost in local housing and commute across the Site to their foraging grounds. The current proposals do not present impacts on features which could be important to bats and it is likely that in the longer term they could benefit local populations by providing structures such as homes and gardens to roost in and forage around. The proposals should incorporate integrated roost features as there is a good chance of their uptake."
- Crayfish – "Given that no crayfish were observed within the impact footprint, specific precaution relating to direct impacts should not be required. However, although no crayfish were observed during this survey, the presence of bull head in the stream and the potential for crayfish to occur down-stream means that precautionary mitigation should still be put in place. Mitigation would involve the retention of the maximum extent of open watercourse within the site as is possible. Measures should also be put in place to prevent the release of silt or pollution from the site into the watercourse during construction or operation of the Site."

These measures should be secured through the conditioning of a suitable Construction Environment Management Plan CEMP detailing measures such as silt traps and settlement areas, and a suitable Drainage Plan showing the interception, storage and settlement of surface water.”

- 9.87 The ecology survey concludes that the development will not impact adversely on any protected habitats and species as the most important habitat features (the perimeter grassland, trees and watercourse, will be retained as a buffer of open space. In terms of mitigation, the ecology survey includes recommendations with respect to:
- The preparation of an Ecological Management Plan.
  - Appointment of an Ecological Clerk of Works to advise in minimising the loss of and/or translocation of valuable grassland habitat.
  - A construction Environment Management Plan.
  - Avoiding clearance of vegetation during the bird breeding season (March to August).
- 9.88 The proposed development layout follows the principles set out in the ecology survey by retaining existing trees to the perimeter of the site and incorporating buffers of open space within areas identified as valuable grassland and riparian habitats alongside the watercourse. Biodiversity enhancements would also be delivered through the provision of additional landscaping along the boundaries of the developed site and around the banks of the watercourse.
- 9.89 Natural England have not raised any objections to the development based on its potential effects on designated statutory nature conservation sites. With respect to local, site-specific impacts, the Yorkshire Wildlife Trust have indicated that conditions should be imposed to secure the mitigation measures set out in the ecology survey. In particular, conditions are recommended with respect to the provision of: (i) an Ecological Management Plan; and (ii) the presence of an Ecological Clerk of Works during the construction phase.
- 9.90 The site is not designated for its nature conservation value and has habitats of limited value which are unlikely to support any protected species. The development layout would ensure that habitats of greatest importance are preserved and appropriate mitigation measures would be put in place and biodiversity enhancements delivered as part of the development to ensure compliance with the objectives of paragraph 109 of the NPPF.

### **Trees**

- 9.91 Criteria (1) and (2) of CDLP policy ENV10 state that the Council will seek to safeguard trees protected by a preservation order and within conservation areas from harm or unjustifiable loss.
- 9.92 Groups of trees to the southwest of the site bordering Lytham Gardens and to the northwest bordering the Shortbank Close recreation ground are protected by TPO. The proposed development would ensure a significant stand-off distance with these specimens in order to avoid any adverse effects on TPO trees. The Council's Tree Officer has recommended that conditions are attached to any permission granted requiring the installation of protective fencing around those trees to be retained and the submission of a detailed landscaping scheme to supplement the indicative scheme set out in the landscape masterplan.

### **Archaeology**

- 9.93 Paragraph 128 of the NPPF requires applicants to assess the significance of any heritage assets with archaeological interest affected by developments through appropriate desk-based and, where necessary, field evaluations. In addition, paragraph 141 of the Framework requires developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance.
- 9.94 The application is accompanied by an archaeological desk-based assessment which has been evaluated by the County Archaeologist. The desk based assessment concludes that the site has

archaeological potential for prehistoric to Roman remains and recommends that field evaluation is required to confirm the site's archaeological potential.

- 9.95 The County Archaeologist agrees with the approach set out in the desk-based assessment and concludes that as “the type of archaeology expected [i.e. domestic evidence from the prehistoric and Romano-British periods] would be unlikely to form a constraint on development” the necessary field evaluations could be secured through a planning condition requiring these to be carried out before any development commences. Therefore, measures can be put in place in order to ensure that the development does not unacceptably impact on heritage assets with archaeological significance and that arrangements are made for the recording of any assets which would be lost in accordance with the requirements of the NPPF.

## **10. Conclusion**

- 10.1 The application seeks full planning permission for a residential development of 98 dwellings and *circa* 2.7 hectares of open space on an irregularly shaped parcel of land extending to approximately 5.7 hectares on the south-eastern fringe of Skipton. The site falls outside the Development Limits identified on the Craven District (Outside the Yorkshire Dales National Park) Local Plan Proposals Map and is therefore within an area of open countryside. The land is, however, identified as a housing allocation (site reference SK013) for up to 100 dwellings under policy SP5 of the Emerging Local Plan (ELP).
- 10.2 The site occupies a sustainable location for housing which is well connected and accessible to services in Skipton. The scheme, with respect to the quantum and layout of housing and green infrastructure, follows the general development principles identified in ELP policy SP5. In addition, it is not considered that the Council is able to robustly demonstrate a 5 year supply of housing land for the purposes of paragraph 47 of the NPPF. In these circumstances, the provisions of paragraph 14 of the NPPF are engaged and it follows that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.
- 10.3 The proposed development, by virtue of its location, size and scale, would result in a significant incursion of urbanisation into the open countryside which would erode its openness and diminish some of the characteristics of the Moorland landscape of which it forms a component. Nevertheless, the harm to the surrounding landscape would be substantially mitigated by the siting of housing in relation to the built-up edge of the settlement, the use of topographical changes to minimise its visual impact and the provision of deep, undeveloped buffers of open space to the southern and western areas of the site, including the introduction of landscaping within these areas. The layout, scale, density, design and materials of the housing would be compatible with the character of the area and surrounding buildings, and the spacing and relationship of the proposed dwellings with neighbouring properties would ensure that the development has no undue impact on the privacy and amenity of surrounding occupiers through loss of outlook, overshadowing or overlooking.
- 10.4 The development would incorporate a safe and suitable means of access and would not give rise to any severe residual cumulative transport effects. Accordingly, it would not prejudice the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site. The development would deliver appropriate contributions towards affordable housing and open space commensurate with the scheme's viability and measures can be put in place to ensure that the proposal has no adverse effects with respect to trees, flooding, ecology and archaeology.
- 10.5 The benefits arising as a result of the development would outweigh any adverse effects of granting permission. Therefore, the proposal is considered to comprise sustainable development in accordance with relevant local and national planning policies.

## **11. Recommendation**

- 11.1 That, subject to the completion of a planning obligation in accordance with the provisions of S106 of the Town and Country Planning Act to secure:

- (i) The provision, tenure, delivery mechanism, occupation criteria and phasing for 20 of the dwellings (equating to 20% of the total) to be provided as affordable housing (as defined the National Planning Policy Framework) in accordance with the size, mix, layout and distribution identified on drawing no. AAS-2015-002J.
- (ii) A financial contribution of £140,000 towards the off-site provision, improvement and/or future maintenance of open space to address local deficiencies in youth and adult play and recreation space.

Authority is delegated to the Head of Planning to **GRANT** Planning permission subject to the following conditions:

**Time limit for commencement (T)**

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Approved plans (L)**

2. This permission relates to the following plans:
  - Drawing no. AAS-2015-001A – Scale 1:1250 location plan.
  - Drawing no. AAS-2015-002J – Proposed planning layout.
  - Drawing no. AAS-2015-003A – Proposed site sections sheet 1 of 2.
  - Drawing no. AAS-2015-004A – Proposed street scenes.
  - Drawing no. AAS-2015-005 – Proposed site sections sheet 2 of 2.
  - Drawing no. AAS-AN-WD16 – The Alnwick.
  - Drawing no. AAS-BK-WD16 – Bickleigh.
  - Drawing no. AAS-BR-WD16 – The Brampton.
  - Drawing no. AAS-CD-WD16 – Chedworth.
  - Drawing no. AAS-CCA-WD16 – Clayton corner.
  - Drawing no. AAS-CR-WD16 – Cragside.
  - Drawing no. AAS-HB-WD16 – Hanbury.
  - Drawing no. AAS-HB(sp)-WD16 – Hanbury split level.
  - Drawing no. AAS-HT-WD16 – Hatfield.
  - Drawing no. AAS-RS-WD16 – Roseberry.
  - Drawing no. AAS-RS(sp)-WD16 – Roseberry split level.
  - Drawing no. AAS-RF-WD16 – Rufford.
  - Drawing no. AAS-RF(sp)-WD16 – Rufford split level.
  - Drawing no. AAS-SU-WD16 – Souter.
  - Drawing no. AAS-WS-WD16 – Winster.
  - Drawing no. AAS-WY-WD16 – Wycliff split level.
  - Drawing no. SGD-01 – Single/double garage.
  - Drawing no. SGD-02 – Single/double garage.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

**Before you commence development (P)**

3. Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings before any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the surrounding area in the interests of visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

5. No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- (i) A phased programme and methodology of site investigation and recording to include:
  - The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area through a targeted archaeological evaluation and area excavation.
  - An assessment of the impact of the proposed development on the archaeological significance of any remains.
- (ii) A programme for post investigation assessment to include:
  - Analysis of the site investigation records and finds.
  - Production of a final report on the significance of the archaeological interest represented.
- (iii) provision for publication and dissemination of the analysis and report on the site investigation.
- (iv) provision for archive deposition of the report, finds and records of the site investigation.
- (v) nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

Reason: To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of construction works in order to record and advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of the National Planning Policy Framework.

6. Notwithstanding any details submitted with the application, no development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health;

- property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.
- (iii) an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site before any groundworks take place in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of the National Planning Policy Framework.

7. No above ground works shall take place until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 21<sup>st</sup> September 2016 have been addressed and/or mitigated. The development shall thereafter be carried out in full accordance with the duly approved details.

Reason: In order to limit opportunities for crime and disorder in accordance with the requirements of paragraphs 58 and 69 of the National Planning Policy Framework and Section 17 of the Crime & Disorder Act 1998.

8. No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:
- a) Detailed engineering drawings to a scale of not less than 1:250 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 types of construction proposed for carriageways, cycleways and footways/footpaths;

- 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 timetable for completion of the works detailed in a) to g).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide satisfactory facilities for vehicle access, circulation and manoeuvring in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

9. No development shall take place until a scheme for the layout, design and construction of the site access at the crossroad junction with Aldersley Avenue/The Oval/Hillside Crescent (the indicative layout of which is shown on drawing no. 14096/GA/01 forming Appendix D of the Transport Assessment) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:
- (i) Priority amendments to the crossroad junction and the provision of suitable visibility splays with eye and object heights of 1.05 metres.
  - (ii) The crossing of the highway verge and/or footway to be constructed in accordance with North Yorkshire County Council's Standard Detail E6 or another specification which has first been submitted to and approved in writing by the Local Planning Authority.
  - (iii) The first 5 metres of the access road extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 12 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.
  - (iv) The prevention of surface water from the site discharging onto the existing or proposed highway.
  - (v) Tactile paving in accordance with current Government guidance.

The site access shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant heights referred to in (i) thereafter.

Reason: In order to provide a safe and suitable means of access to the site and to ensure a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

10. Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing and proposed highway until 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 existing highway have been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

Reason: In order to provide a safe and suitable means of access to the site for pedestrians in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

11. No development shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision of tactile paving.
- (ii) Unless otherwise agreed in writing with the Local Planning Authority, the provision of three footway connections to Moorview Way in the positions shown on drawing no. ASS-2015-002J. One of these connections shall be 4 metres wide to provide a shared footway, cycleway and emergency access with lockable bollard.

The duly approved off-site highway works shall be implemented and made available for use: in the case of (i), before any of the dwellings to be served by the relevant area of tactile paving are first occupied; and in the case of (ii) before 25% of the dwellings are first occupied.

Reason: To secure improvements to the highway network in order to ensure safe and convenient access for pedestrian and vehicle traffic in the interests of road safety and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

12. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- (a) hours of work for site preparation, delivery of materials and construction;
- (b) arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- (c) details of areas designated for the loading, unloading and storage of plant and materials;
- (d) details of the siting, height and maintenance of security hoarding;
- (e) arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- (f) measures to control the emission of dust and dirt during construction;
- (g) a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- (h) details for the routing of HGVs to the site to avoid Skipton town centre.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with the requirements of the National Planning Policy Framework.

13. No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
- (ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.

- (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to safeguard existing trees on/surrounding the site which are protected by Tree Preservation Order before any construction works commence in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV10.

14. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document) and shall follow the principles set out in the Flood Risk Assessment by Haigh Huddleston & Associates dated July 2016 (report reference E15/6358/FR01A Rev A). Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) Separate systems for the disposal of foul and surface water.
- (ii) Measures to ensure that no surface water is discharged to the public sewer network.
- (iii) Details of all attenuation and flow/volume control measures (including the use of SUDS where appropriate) to be implemented to ensure that the post development rate of surface water discharge from the site to any soakaway or watercourse generated during rainfall events up to and including the 1 in 100 year event does not exceed 14.5 litres/second for the whole site.
- (iv) Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including the use of areas to hold or convey water).
- (v) Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

Reason: To ensure that the development is not at an unacceptable risk of flooding and does not increase flood risk elsewhere (including an appropriate allowance for climate change and urban creep) in accordance with the requirements of the National Planning Policy Framework.

15. No above ground works shall take place until a scheme for the provision and future maintenance of the areas of Public Open Space shown on drawing no. AAS-2015-002J has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, layout, design, a schedule of works and future maintenance arrangements for the Public Open Space, and a timetable for its provision. The Public Open Space shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as Public Open Space.

Reason: To ensure that the development contributes towards the provision and future maintenance of recreational open space in the vicinity of the site in order to avoid a deficiency in the quantity and quality of recreational open space in the locality and to ensure that the impact of the development on the character of the surrounding landscape is adequately mitigated in accordance with the

requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy SRC2, policy SP5 of the Publication Draft Craven Local Plan and the National Planning Policy Framework.

16. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:
- a) Details of the role, responsibilities and operations to be overseen by an Ecological Clerk of Works.
  - b) A description and evaluation of features to be managed.
  - c) Ecological trends and constraints on site that might influence management.
  - d) Aims and objectives of management.
  - e) Appropriate management options for achieving aims and objectives.
  - f) Prescriptions for management actions.
  - g) Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period.
  - h) Details of the body or organisation responsible for implementation of the plan including details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured with the management body(ies) responsible for its delivery.
  - i) Ongoing monitoring and remedial measures including, where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development continues to deliver the fully functioning biodiversity objectives of the LEMP.

The LEMP shall be implemented, and subsequently monitored, reviewed, managed and maintained, in accordance with the duly approved details and the timetable contained therein.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of the National Planning Policy Framework.

17. No development shall take place until a Construction Environment Management Plan (CEMP) setting out details of measures to protect watercourses within the site during construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
- a) The extent of open watercourse(s) within the site to be retained and the parts to be culverted.
  - b) The siting, height and design of any protective barrier to provide a construction exclusion zone around the watercourse(s).
  - c) Measures to prevent the release of silt and pollution from the site into the watercourse both during and after construction.
  - d) A drainage plan showing the interception, storage and settlement of surface water.
  - e) A timetable for implementation

Development shall thereafter be carried out in strict accordance with the details and timetable contained within the duly approved CEMP.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the nature conservation interest and habitat value of the watercourse before any development takes place in accordance with the requirements of the National Planning Policy Framework.

#### **During building works (c)**

18. No clearance of any un-grazed grassland, trees, scrub or dense tall herbs in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any

vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

19. Notwithstanding any details shown on the approved plans, within three months of development first taking place a soft landscaping scheme for the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall demonstrate compliance with the Landscape Masterplan forming Figure 1 of the Landscape and Visual Assessment by Pegasus Group dated August 2016 (report reference YOR.2422\_007A) and shall include details of:
- (i) all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
  - (ii) compensatory planting to replace any trees or hedgerows to be removed as part of the development;
  - (iii) the introduction of native planting buffers to the northern, eastern and southern edges of the development, and within the areas of open space to the south and west of the site;
  - (iv) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i), (ii) or (iii); and
  - (v) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate strengthening of existing landscaping on the site, to provide adequate screening for parts of the development and to provide biodiversity enhancements in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and ENV10 and the National Planning Policy Framework.

20. Notwithstanding any details shown on the approved plans, within three months of development first taking place details of the siting, height, design, materials and finish of boundary treatments (including any retaining walls) for each plot shall be submitted for the written approval of the Local Planning Authority. The boundary treatments for each plot shall be constructed in accordance with the duly approved details before the dwelling on each associated plot is first occupied, and shall be retained as such thereafter.

Reason: To achieve a satisfactory relationship between existing and proposed dwellings in the interests of privacy, to ensure that appropriate measures are put in place to secure the gardens of individual plots and to ensure the use of appropriate materials which are sympathetic to the character and appearance of the site and its surroundings in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

#### **Before the development is occupied (O)**

21. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no windows other than those expressly authorised by this permission shall be inserted in the north facing elevations of the

dwellings on plots 4, 13, 14, 21, 22, 28 and 37 (as identified on drawing no. AAS-2015-002J); and all windows permitted in the north facing elevations of those plots pursuant to this permission shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before each associated dwelling is first occupied, and shall be retained as such thereafter.

Reason: In order to safeguard the privacy of adjoining residents by minimising the potential for overlooking of neighbouring dwellings and their garden areas in accordance with the requirements of the National Planning Policy Framework.

22. The vehicle access, parking, manoeuvring and turning areas for each dwelling shall be constructed and made available for use in full accordance with the details shown on drawing no. ASS-2015-002J before each associated dwelling is first occupied.

Reason: To ensure that suitable provision is made for vehicle access, parking and manoeuvring concurrently with the occupation of the dwellings in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

23. Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Travel Plan by 'Optima' dated 25<sup>th</sup> August 2016 (report reference 14096) and shall contain:

- a) details of the appointment of a Travel Plan 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 and timetable 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 thereafter be implemented in accordance with the duly approved details and the timetable contained therein.

Reason: In order to promote modal shift and increased use of sustainable methods of travel in accordance with the objectives of the National Planning Policy Framework.

#### Statement of Positive Engagement

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

#### **Informative:**

Highways:

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.

There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.

It is recommended that before a detailed condition discharge submission is made a draft road and footway layout is prepared for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work.

#### Unsuspected contamination:

In the event that contamination is found at any time when carrying out the development that was not previously identified as part of the site investigations undertaken pursuant to the conditions of this permission, it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted for the written approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted for the written approval of the Local Planning Authority.

#### Environmental Health:

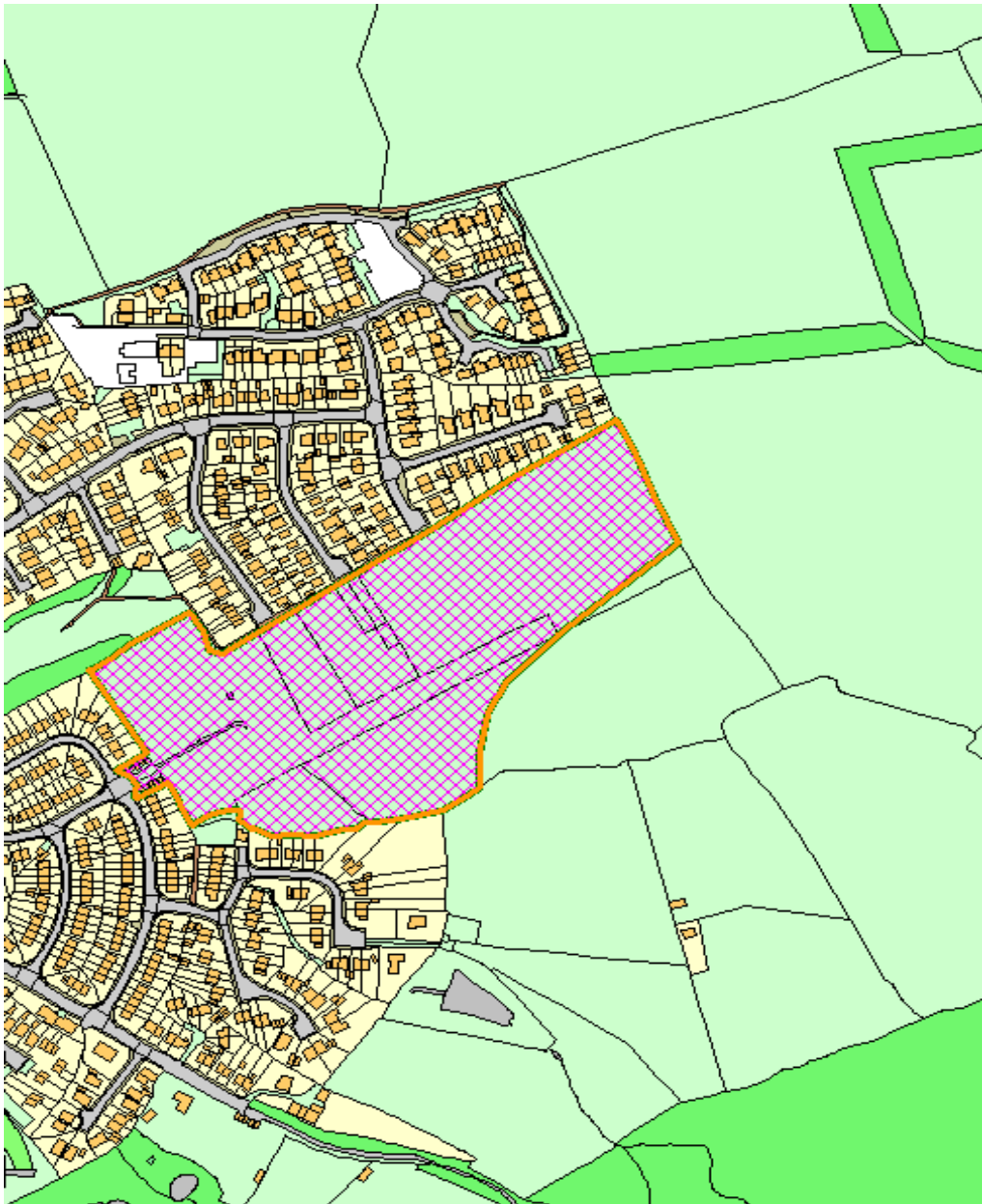
The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

#### Yorkshire water:

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: [Technical.Sewerage@yorkshirewater.co.uk](mailto:Technical.Sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network. An existing 6" diameter live water main is currently laid in a footpath of Aldersley Ave which may be affected by the site access improvements.



**Application Number:** 63/2016/17313

**Proposal:** Full application for the erection of 98 dwellings

**Site Address:** Aldersley Avenue Skipton North Yorkshire BD23 2LH

**On behalf of:** Persimmon Homes West Yorkshire

## REPORT TO PLANNING COMMITTEE ON 12th February 2018

**Application Number:** 2017/18237/OUT

**Proposal:** Outline application for a residential development of up to 140 dwellings with associated infrastructure and open space (access applied for with all other matters reserved)

**Site Address:** Land At Hawbank Field, Skipton.

**On behalf of:** G Baldwin

**Date Registered:** 7th November 2017

**Expiry Date:** 6th February 2018

**Case Officer:** Mr Matthew Taylor

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The application has been referred to the Planning Committee as it represents a departure from the provisions of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the officer recommendation is for approval.

Councillor Christopher Harbron has also requested that, if not taken to the Planning Committee as a matter of course, the application be referred on the grounds of wider public interest, the site's location within open countryside outside the development limits of Skipton and traffic concerns.

### 1 Site Description

- 1.1 The application relates to an irregularly shaped parcel of land to the north-eastern periphery of Skipton. The site – referred to as 'Hawbank Fields' – extends to approximately 8.8 hectares in area and is located on the south side of the A6131 (The Bailey) approaching its junction with the A59. The site currently comprises an open agricultural field which follows a broadly 'square' shape running between The Bailey (northern end) and Otley Road (southern end). The western boundary undulates to exclude land forming an embankment to the adjacent railway line and a narrow outrigger protrudes to the southeast corner of the site.
- 1.2 Ground level falls steeply in a southerly direction across the site down to the watercourse of Skibeden Beck which follows a meandering east-west channel flanking Otley Road. Levels flatten on the floodplain to the north side of the watercourse before rising briefly to the south side of the beck to form a banking alongside Otley Road. Land bordering the beck to the north and south falls within flood zones 2 and 3 as defined on the Environment Agency's flood map.
- 1.3 Peripheral areas of woodland flank the western boundary – including a large triangular plantation to the southwest corner – and a row of trees occupy the top of the banking bordering Otley Road. Another narrow linear tree belt runs alongside The Bailey to the northern fringe. Trees within the plantation to the southwest corner and in the row alongside Otley Road are protected by a Tree Preservation Order (TPO) – references 27 1982 W1 and 222 2014 G1. A dry stone wall of varying height encloses the northern, eastern and southern perimeters of the site. A low post-and-wire fence supplements the walling to the southern boundary and runs alongside the western edge with the railway line.
- 1.4 The site falls adjacent to, but outside, the Development Limits identified on the Craven District (Outside the Yorkshire Dales National Park) Local Plan Proposals Map and, accordingly, is in an area of open countryside. The land is, however, allocated as a housing site with associated green infrastructure provision (site reference SK088) in the Publication Draft Craven Local Plan dated 19<sup>th</sup> December 2017 (referred to hereafter as the Emerging Local Plan or 'ELP'). A high pressure gas pipeline ('Whinney Gill

– Cracoe’) runs in a north-south direction through the centre of the site. An existing gated field access from The Bailey marks the northern edge of the pipeline. A milestone on the verge to the northern frontage of The Bailey approaching the junction with the A59 is a grade II listed building.

- 1.5 The site is bounded by open fields to the east and on the opposite sides of The Bailey and Otley Road to the north and south respectively. A farmhouse and portal-framed agricultural building (East Fields) are located on adjacent land approximately 110m to the east of the site and have a separate access off the A59. Dwellings to the west of the site on Greenacres, Long Meadow, Clover Hill, Hawk Bank Court and Regent Drive include a mix of bungalows (northwest corner) and two storey houses (central and southern end) separated from the site by an intervening railway line, woodland planting over a minimum distance of *circa* 35m.

## 2 **Proposal**

- 2.1 The application is submitted in outline and seeks permission for a residential development of up to 140 dwellings including associated infrastructure and *circa* 2.2 hectares of open space. Access is the only matter applied for at this stage with layout, scale, external appearance and landscaping being reserved for later consideration (though indicative details have been submitted as part of the application).
- 2.2 A single vehicle access point is proposed from The Bailey to the northwest corner of the site. Visibility splays of 4.5m x 215m (eastbound) and 4.5m x 175m (westbound) would be provided at the junction of the site access with The Bailey and a dedicated right hand turning lane for eastbound vehicles incorporating a ‘ghost island’ approach would be formed to the centre of the carriageway. The access would merge with a 5.5m wide estate road flanked by 2m footways. The application also includes the following off-site highway improvement works to The Bailey:
- The southerly widening of the carriageway of The Bailey to allow the introduction of a dedicated right hand turn lane with associated ghost island approach and central reservation hatching to each side of the turning lane.
  - The introduction of two new stretches of 2m wide footway to: (i) the north side of The Bailey for a length of approximately 40m between no. 3 Skibeden Court and the bus stop at the junction with ‘The Avenue’ which forms the access to Overdale Park; and (ii) the south side of The Bailey for a length of approximately 150m running in a westerly direction between the junctions of the site access and Greenacres with The Bailey.
  - The introduction of a pedestrian refuge island to form a crossing over The Bailey connecting the two new stretches of footway at their western end.
- 2.3 The indicative layout shows housing bordering a circular estate road to the centre of the site with cul-de-sacs branching off to the southeast, southwest and northwest corners. A substantial C-shaped buffer of woodland planting would be introduced alongside the eastern boundary with the adjoining field and existing wooded areas and tree belts to the northern, western and southern boundaries would be retained outside the developed areas of the site.
- 2.4 The 2.2 hectares of open space would be concentrated around the watercourse on lower lying land to the southern end of the site, with a second buffer flanking the northern boundary to The Bailey. A Locally Equipped Area for Play would be provided between pockets of housing within the open space to the southern end of the site. Other green infrastructure provision on the site includes the introduction of a woodland planting buffer alongside the eastern boundary covering an area of approximately 0.85 hectares and the retention of an existing woodland to the southwest corner extending to *circa* 0.76 hectares. When considered in combination, these areas of green infrastructure total approximately 3.81 hectares. The indicative layout also shows the provision of a footpath through the woodland to the southwest corner of the site to provide a pedestrian connection with Otley Road.
- 2.5 Although the matter of scale is reserved, indicative sections and street scenes illustrate a development of two storey dwellings stepping down towards Otley Road to follow the natural change in ground level across the site.

- 2.6 Although the precise housing mix and tenures are not submitted at this stage, the applicant has agreed that 30% of the dwellings will be delivered as affordable housing in accordance with the definition in the National Planning Policy Framework and the requirements of ELP policy H2.

### **3 Planning History**

- 3.1 No history of planning applications on this site.

### **4 Planning Policy**

- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').

- 4.2 Craven District Council is in the process of preparing a new Local Plan to cover the period up to 2032. The Emerging Local Plan (ELP) is at the publication draft stage and has not been subject to independent examination (or submitted for examination). Accordingly, the ELP is not the adopted development plan for the district. Given that the ELP is at a relatively early stage in its preparation, and having regard to paragraph 216 of the NPPF, its policies can carry only limited weight in the decision making process.

#### **4.3 National Policy:**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

#### **4.4 CDLP:**

ENV1 – Development in the Open Countryside  
ENV2 – Requirements for Development in Open Countryside  
ENV10 – Protection of Trees and Woodlands  
SRC2 – Provision of Recreation Space in New Housing Developments  
T2 – Road Hierarchy

#### **Publication Draft Craven Local Plan December 2017 – ELP:**

SP1 – Meeting Housing Need  
SP5 – Strategy for Skipton – Tier 1  
H2 – Affordable Housing

### **5 Parish/Town Council Comments**

- 5.1 *Skipton Town Council* – No comments received in response to consultations sent 24.07.17 and 10.11.17.

### **6 Consultations**

- 6.1 *CDC Environmental Health Officer (EHO)* – No objections. Comments as follows:

- No known contaminated land implications.
- Recommend that conditions are imposed to: (i) restrict hours of construction to between 8am – 6pm Monday to Friday and 8am to 1pm on Saturdays; (ii) ensure satisfactory noise attenuation for dwellings; (iii) a dust mitigation plan; and (iv) the importation of clean topsoil.

- 6.2 *CDC Planning Policy* – No objections. Comments as follows:

- The developable area of the site should be in line with what has been suggested in the draft local plan. There should also be an appropriate setback of the development from the woodland to the southwest and the stream to the south.

6.3 *CDC Sports Development Officer* – No objections. Comments as follows:

- The scheme should provide an on-site Neighbourhood play area (NEAP) to meet the equipped and informal play needs for Children and Young People. The NEAP should provide: (i) a minimum of 945 sqm of activity space for 140 dwellings (7sqm per unit) and should comprise no less than 12 play equipment items; (ii) 1575 sqm of informal children's play space for 140 dwellings (11 sqm per unit); and (iii) 1000 sq of equipped youth play and recreation provision for 140 dwellings (7 sqm per unit). There may not be enough space for full youth provision on site but some provision should be made. This must have an adequate buffer of 30m to the nearest dwelling boundary.
- If the Youth provision is not achievable due to site constraints and only the toddler and children's equipped play area and informal space is provided, then an off-site planning gain contribution must be made in order for the scheme to be acceptable in planning terms. This should be used by the Council to make such provision elsewhere in Skipton such as improving and enhancing Pastures Close. The amount would be up to £150,000 (£1063 per dwelling), but less depending upon what was put on site.
- The management and maintenance of all the onsite provision must be addressed so that the scheme is maintained to high quality and kept in perpetuity to ensure that provision meets SRC2 policy for this aspect.
- The developer must provide an off-site contribution of £100,000 (£719 per dwelling) to address the quality deficiency of allotments and playing pitches to meet the recreation and sporting needs generated by the development.

6.4 *CDC Strategic Housing* – No objections. Comments as follows:

- The application includes up to 140 dwellings with the provision of 56 affordable homes which equates to 40% of the total.
- CDC has substantial unmet affordable housing need for 145 homes per year, evidence of which is provided within the SHMA 2016.
- The SHMA further evidences the affordable tenure split to meet identified need stating 'In terms of tenure, a split of 15%-25% intermediate tenure and 75%-85% affordable rented would be recommended'.
- The provision of 56 affordable homes on the site will help to address significant affordable housing need and is in line with emerging policy. The proposal is therefore supported by Strategic Housing.
- The mix provided at this outline stage has not yet been agreed. On submission of a more detailed application strategic Housing would like to see the following mix provided: (i) 20% 1 bed homes @ 60sqm in size; (ii) 60% 2 bed homes @ 70sqm in size; (iii) 20% 3 bed homes at 85 sqm in size.
- The homes should be indistinct from the market homes and should be in clusters of no more 5 homes. Flats will be accepted where market flats are provided as well. The homes will be transferred to a registered provider at £950 per sqm (this price may be revised as part of emerging policy, any increase in transfer values will be reflected in the price paid by the RP). A split of 25% shared ownership to 75% rented will be required, there is no difference in transfer values for the tenure types.

**Officer note:** The above comments from strategic Housing were received on 01.08.2017 prior to the change in the wording of ELP policy H2 on 19.12.17 which now requires a minimum affordable housing provision of 30% (down from 40%). The change in the policy context is acknowledged and accepted by Strategic Housing who agree that provision at a rate of 30% of the total is now appropriate under the emerging policy context.

6.5 *CDC Tree Officer* – No objections. Comments as follows:

- The triangular section of woodland to the south-west of the site and the trees along the road to the south are protected by Tree Preservation Orders (TPO) 27 1982 & 222 2014 respectively. The plans do not propose any work to these trees at this stage. Although there would be no direct effect on these trees, the proposal incorporates extensive hard surfaced areas which would increase the rainwater runoff towards the woodland of TPO 27 1982. This will change the ground

conditions and therefore I would recommend that extensive tree planting is proposed to help mitigate this and also to reduce the visual impact of the development.

- The main visual impact of this development would be from the moorland and landscape to the south of the site and therefore extensive areas of trees should be specified for planting if permission is granted. The site slopes heavily towards the south and therefore trees should be planted across the site and not just at the edges. I consider it to be vital to plant avenues of large trees through the centre of the site to help soften the development.
- The large area of hard surfaces could have some detrimental effect on the trees of TPO 27 1982. I would therefore highly recommend that this planting is extended outwards and to the top of the site along the western boundary in order to increase the uptake of ground water. Some woodland paths could be incorporated into this. Trees such as Alder, Downy Birch and Oak could be planted by the woodland nearer the bottom of the site where it gets waterlogged. The railway line provides an ecological pathway from the north to the south which bottlenecks in the middle of this site. There is also the quarry woods to the north. A wooded corridor along the full western edge of the site would therefore be highly beneficial ecologically whilst lowering the visual impact from the south.
- At the bottom of the site there is a stream which could benefit from some occasional Willow planting and some native plants suited to these conditions. A belt of trees should be planted along the eastern edge of the site as this is the entry to Skipton from the Harrogate and Leeds directions. The top edge of the site could benefit from an extra line of trees along the road to help dampen the noise of the Bailey road and bypass.
- The access has been proposed at the top of the site where there are a line of trees along the road. I have no objections to the removal of a small section of these trees to allow access. Beyond this I don't consider any threat to the overall group as they are located on NYCC highways land. There are also some trees along the railway banking, but due to the slope I don't consider any motive to remove these. There are also some individual Hawthorns by the stream to the south of the site but don't consider these to be under threat.

6.6 *County Archaeologist* – No objections. Comments as follows:

- The development area is a large greenfield site on the outskirts of the medieval town of Skipton. Feint traces of ridge and furrow and former field boundaries are visible on aerial photography of the site. These are not particularly well preserved and are of low significance. There has been no previous archaeological work within the site boundary.
- As with any greenfield site, the development area has some archaeological potential, particularly for undetected sites of the prehistoric to Roman periods. These types of remains would be of local or perhaps regional significance and would not be likely to preclude development.
- A condition should be attached to any permission granted requiring that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this proposal. This should comprise an archaeological geophysical survey followed by trial trenching. If significant archaeological remains are present then further mitigation recording may be necessary in the form of a strip, map and record excavation. The archaeological works should be undertaken in advance of development and should include appropriate analyses of results, reporting and archive preparation. This is in order to ensure that a detailed record is made of any deposits/remains that will be disturbed.

6.7 *Environment Agency* – Advised that they have no objections subject to the imposition of the following conditions:

- There is to be no built development or ground raising in flood zones 2 or 3.
- The proposed development is to be located outside the likely flood extent of reservoir flooding.
- The surface water runoff rate is to be restricted to 5l/s. The details of the surface water drainage system are to be agreed with North Yorkshire County Council in their role as Lead Local Flood Authority.

6.8 *Lead Local Flood Authority* – No objections. Comments as follows:

- The site is partially within Flood Zone 3 and 2. Indicative proposals appear to show development outside the areas at risk of surface water flooding.
- The site is at risk from surface water flooding to the 1 in 100 year flood event as shown on the Environment Agency's Flood Map for Surface Water. Indicative proposals appear to show development outside the areas at risk of surface water flooding.
- The application is only in the indicative stages of the development. The application proposals are to discharge surface water runoff into a nearby watercourse Skibeden Beck to the south within the site boundary. Skibeden Beck has Main River status therefore an Environmental Permit from the Environment Agency will be required for works near to and within a Main River.
- Peak flow control is to be limited to a maximum of 5 l/s or to the proven greenfield runoff rate for the site.
- SUDS attenuation design should be able to provide the 1 in 100 year design flood event plus allowances for climate change (30%) and urban creep (10%).
- Pollution from surface water runoff from the development from parking areas and hardstanding areas should be mitigated against by the use of oil interceptors, road side gullies, reedbeds or alternative treatment systems.
- Site design must be such that when SUDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site. A plan showing exceedance flow routes is required as part of any detailed design.
- Arrangements for the maintenance of the proposed SuDS surface water runoff attenuation features should be submitted to the Local Planning Authority for approval, this maybe subject to a Section 38 agreement with the NYCC Highways department and additionally a Section 104 agreement with Yorkshire Water.
- Conditions are recommended to secure the above requirements.

6.9 *Natural England* – Comments 29.08.17 as follows:

**Impacts on designated nature conservation sites:**

- The application site is in close proximity to the North Pennines Special Protection Area (SPA) and Special Area of Conservation (SAC) which are European sites. The sites are also notified at a national level as West Nidderdale, Barden and Blubberhouses Moors Site of Special Scientific Interest (SSSI).
- The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority (i.e. the consultation does not include a Habitats Regulations Assessment). Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.
- Natural England notes that Habitats Regulations Assessment of the draft Craven Local Plan (dated May 2016) identified likely significant effects on the integrity of the North Pennines SPA and SAC as a result of increased access and recreational disturbance from the increase in housing over the plan period. We advise that your Authority assess this proposal in the context of in-combination access and recreational disturbance on the North Pennines SPA and SAC with the Craven Local Plan. It will be necessary to ensure consistency between the evidence base work for the Local Plan and any required avoidance and mitigation measures for this proposal. Where evidence is already available in relation to the Local Plan this should assist your Authority in considering the need for any avoidance and mitigation measures under the requirements of the Habitats Regulations.
- If your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify

Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

**Effects on protected landscapes:**

- The proposed development is for a site close to a nationally designated landscape namely The Yorkshire Dales National Park.
- Natural England welcomes the inclusion of a Landscape and Visual Impact Assessment (LVIA) and broadly concurs with the conclusions.
- The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision.
- The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

**Officer note:** Additional information has been sent to Natural England concerning the development's impacts on designated nature conservation sites following the Council's publication of the document titled "Habitat Regulations Assessment – Appropriate Assessment Report (Iteration I)" in December 2017. The HRA forms a background paper to the Emerging Local Plan (ELP) and includes an Appropriate Assessment (including 'in combination' effects) of the strategic land allocations in the ELP which include the effects of the application site (referenced SK088). In response to the publication of the HRA, Natural England have indicated that their final response should be available by 9<sup>th</sup> February 2018. This response will be reported to members at the committee meeting in the late information report.

6.10 *Network Rail* – No objections. Comments as follows:

- The provision of a revised location plan which includes an updated red edge showing that the development boundary falls outside Network Rail's land is noted. Therefore, Network Rail's previous objection concerning matters of land ownership is withdrawn.
- Conditions should be attached to any permission granted in relation to: (i) drainage; (ii) boundary fencing; (iii) method statements; (iv) soundproofing; (v) lighting; and (vi) landscaping.

6.11 *NYCC Highways* – No objections. Comments as follows:

- The Local Highway Authority (LHA) is aware that this site has been put forward as a preferred site by Craven District Council and have assessed its cumulative impact on the surrounding local road network.
- This has been undertaken through the Craven District Strategic Model and will form part of Craven's supporting evidence which will identify any mitigation measures required. It is the LHA understanding that any identified mitigation measures will be included within a final delivery plan with sites being required to contribute towards part or whole junction improvements.
- As this application has come forward ahead of the adoption of the CDC Local Plan the applicant has provided a comprehensive Transport assessment (TA) for the site providing information about the site and its impact on the network. The TA has established that the

existing road network will be able to sustain the development and the only vehicle improvements required are to the planned access.

- The access to the site has been considered and agreed that a right turn lane should be implemented on the Bailey as part of the development. The visibility that can be achieved at the access is 2.4m x 215m to the east and 160 x 2.4m to the west arrangement. The appropriate standard for visibility at this junction is DMRB which the aforementioned visibility splays meet.
- A contribution of £15,000 for the preparation of a report and design to improve The Bailey/A59 junction to the north of the site should be secured through S106 agreement. The development should also contribute to the provision of a footway link between the application site and the footway on Otley Road to enable people to walk to Skipton Town Centre.
- Other conditions are required with respect to: (i) detailed plans of road and footway layout; (ii) discharge of surface water; (iii) visibility splays for vehicles and pedestrians; (iv) off-site highway works; (v) details of access, parking and turning; (vi) limits on the type of construction vehicles; (vii) a highway condition survey; (viii) doors and windows opening over the highway; (ix) Projections over footways; (x) a construction management plan; (xi) a travel plan.

6.12 *NYCC Education* – Requested a contribution of £475,860 towards the provision of 35 new primary school places (at a rate of £13,596 per place). This development area serves two primary school areas (Water Street Primary and Parish Church CE Primary). A developer contribution is not sought for secondary school facilities at this time.

6.13 *Northern Gas Networks* – No objections. Comments as follows:

- There are specific building proximity distances for individual Pipelines dependant on predefined risk levels and the type of development. Precise distances should be obtained prior to detailed design by contacting Plant Protection.
- Northern Gas Networks' apparatus may be directly affected by these proposals and the information provided has been forwarded to our engineers to make an assessment of the effect.

6.14 *Yorkshire Dales National Park* – No objections. Comments as follows:

- The LVIA supplied with the application demonstrates that, whilst there are views of the site from the National Park and particularly from elevated parts of the National Park (namely Embsay Crag), the site would be partially hidden by the hill to the south of Embsay (Haw Bank - Skipton Quarry site) and would be seen with Embsay village in the foreground and Skipton in the background. The LVIA is limited, with only one viewpoint from within the National Park and suggests that the site will be visible from further north and north-west. Viewpoints from outside of the National Park, looking across the site, are limited - only viewpoint 8 shows the site in the wider landscape with the National Park in the backdrop. However, in both viewpoints it is clear that the site is unlikely to have an adverse impact on National Park Purposes. It is also noted that Natural England broadly concurs with the conclusions of the LVIA.
- It is recommended that a comprehensive landscaping scheme be considered to help integrate the proposal with the wider landscape and a low level external lighting scheme is agreed to minimise the impact on the dark skies of the National Park, a 'Special Quality' of the National Park.

6.15 *Yorkshire Water* – No objections. Comments as follows:

- Company records indicate that raw and treated mains are located within the site boundary (along with an electrical cable). Both pipes are live and operational and critical to the public water supply for the Skipton area and the areas further north and west within Craven and the Dales served by Embsay water treatment works. The two pipes and cable are laid alongside each other and are protected via a deed of easement. The presence of the mains may affect the layout of the site and therefore are considered to be material in the determination of this application. Although the application is for outline permission only, and therefore subject to change at reserved matters stage, Yorkshire Water advise that the submitted site layout details are not currently acceptable to

them as it appears that buildings will be located over the line of the water mains which would jeopardise Yorkshire Water's ability to maintain the public water supply network. No obstruction should encroach within 5 metres on either side of the centre line between the two pipe mains (i.e. a protected strip width of 10 metres). It may be possible for the mains to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. No houses, gardens, outbuildings, parking spaces should be located within the pipes' easement. It may be possible to locate the access roads over them subject to any ground raising requirement. The developer is aware of the issue and I understand that the site layout will be amended at Reserved matters stage to reflect the requirement to protect the pipes.

- It is noted from the re-submitted Masterplan that the pipes are shown but the width of the stand-off distances between the pipes and development is not clear. It is also unclear as to whether the pipes will be located within the gardens of the homes. If so, then occupiers would be seriously inconvenienced if a pipe was to burst (particularly as one of the pipes is a pumping main). There is also the risk that they could unwittingly be built over in the future via domestic permitted development rights. Ideally the roads would be located over the pipes. The developer should note there is a relevant deed of easement in place over the infrastructure
- The Flood Risk and Drainage Assessment (prepared by Alan Wood & Partners - Report dated 28/04/2017) is acceptable. It is recommended that conditions are imposed as follows:
- There shall be no raising of land, building or other obstruction located over or within 5m either side of the centre line (i.e. a protected strip of 10m) of the twinned water mains crossing the site. If the required stand-off distance is to be achieved via diversion or closure of the pipes, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been formally agreed with the relevant statutory undertaker.
- The site shall be developed with separate systems of drainage for foul and surface water on and off site. The peak pumped foul water discharge shall not exceed 4 (four) litres per second.
- No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

## 7 **Representations**

- 7.1 The appropriate neighbouring properties were originally notified of the application by letter in August 2017. In addition, as the proposal represents a departure from the provisions of the CDLP, affects the setting of a listed building and is for major development, notices were also posted on site and in the local press. A second round of public consultation was undertaken in November 2017 following the submission of amended plans.
- 7.2 A total of 82 letters of representation have been received following both rounds of public consultation. Of these, 77 are in objection, 1 declares a neutral stance and 4 are in support. The points made in the letters are summarised as follows:

### ***Principle of development:***

- Skipton has no need for the executive style homes which would be introduced by this development. The housing is of the wrong type and will not help those who really need homes enter the housing market. Any new homes should be small, affordable one and two bedroom properties rather than sprawling estates that extend into the countryside.
- Local schools (especially following the closure of Ings Primary), nurseries, hospitals, dentists, GP surgeries and other public services are operating at capacity and would be put under unacceptable strain following the proposal. There is insufficient infrastructure in place to accommodate existing residents in Skipton even without the added population from this development. Services have become especially strained due to the cumulative impact of other recently completed housing schemes in the town. No further housing should be permitted until additional services are first put in place to serve the residents.

- Developers are taking advantage of Craven's lack of an up-to-date local plan to gain permission for unsympathetic developments.
- There are insufficient employment opportunities in Skipton for the residents of the proposed dwellings. This will result in the properties being occupied by commuters to larger neighbouring towns and cities.
- The development includes a commitment to build a number of affordable homes as part of an outline application. It has, however, recently been the case with a number of developments in Craven that when schemes reach detailed design stage this commitment is altered and developers subsequently fail to provide any affordable housing.
- Granting planning permission would set a precedent for further greenfield development on the edges of the town and beyond.
- The site is productive agricultural land which has been used by cattle in the recent past.

**Officer note:** The site is categorised as grade 4 land on the Agricultural Land Classification Map. Accordingly, it is not the "best and most versatile agricultural land" for the purposes of the definition in the NPPF and does not benefit from any specific protection in land-use terms.

***Character and appearance:***

- The scenic, rural landscape of Skipton affords the town its character and is an asset which attracts tourists and contributes to the town's prosperity. The scheme would result in a sprawling form of urbanisation onto open greenfield land outside the historic boundary of Skipton (as defined by the railway line) which would undermine the attractive character and openness of the landscape on a site which is a gateway to the Yorkshire Dales.
- The proposal represents an overdevelopment of the site. The number of houses is excessive and they would be laid out at a high density which is not in-keeping with the surroundings or Skipton's identity and heritage value as a small market town. The number of large developments in Skipton will turn it into a dormitory town for commuters to Leeds and Bradford.
- The steeply sloping topography of the site would result in the development being particularly prominent in views from the south as the houses would be located in an elevated position on the side of a hill and would extend above the line of any trees planted along the boundary with Otley Road. This will blight the approach into and out of Skipton.
- The red line boundary includes a woodland – known locally as "Littlewood" – within the application site. This woodland is protected by a TPO. The red line boundary should be amended to exclude this woodland in order to ensure its future preservation and prevent any proposals for tree felling within it. In addition, all other trees on the site should be preserved.
- The existing layout positions dwellings in very close proximity to existing trees on the western boundary. The green infrastructure buffer along this boundary is far narrower than that shown on the ELP Proposals Map. The developable area should be moved further to the north in order to provide a thicker buffer of trees flanking Otley Road where it will be prominently in view from vantage points to the south.
- Given the prominence of the site it is essential that the materials for the development reflect the local vernacular of stone walls and slate roofs. In addition, the majority of properties should be no more than two storeys in height. Any dwellings of 2.5 storeys as suggested in the application will need to be carefully positioned.

**Officer note:** As matters of scale and external appearance are not being applied for at this stage, issues concerning building heights and materials are not presently before the Council for consideration. Such issues would, instead, be open for the Council to assess at reserved matters stage.

***Highways:***

- There is a lack of capacity on the surrounding road network to cope with the increased traffic from this and other neighbouring developments in Skipton. Congestion is especially bad on The Bailey, High Street, Newmarket Street and Otley Road which form the main access routes to and from the site. This also causes added air pollution which affects the health of residents.
- The proposed access point would open onto a busy main road with a 60mph speed limit where vehicles exit the bypass. Vehicles entering onto the carriageway at this point will increase the risk of collisions. The speed limit on The Bailey should be reduced to 30mph as a result of this scheme to improve road safety. A single point of access is insufficient for a development of this size and will result in long queues onto The Bailey.
- The junction with The Bailey and the A59 is an accident hotspot. There has been a recent fatality at this junction. The development will result in more vehicles using this junction, thereby increasing the risk of further accidents. The developer should be required to fund the construction of a roundabout at that junction if the application is approved.
- The location of the development will result in Greenacres and Regent Road being used as a shortcut to and around the town centre, thus prejudicing the safety of these roads.
- The site's distance from the town centre and local secondary schools (all in excess of 2km away) means that most journeys will be made by private car. This will create an additional strain on parking provision in the town centre.
- Public transport provision is extremely poor for the whole Craven area and is in need of drastic improvement if it is to support additional residents. There are a number of inaccuracies in the Transport Assessment with respect to the frequency of bus services. In particular, the X84 service between Leeds and Skipton runs on an hourly basis (rather than every 20 minutes as is suggested in the Transport Assessment) and does not operate on a Sunday.

***Amenity:***

- The development would have an adverse impact on the amenity of neighbouring residents through added noise (particularly during construction), loss of privacy and loss of outlook.
- Future occupiers of the dwellings may be subject to high levels of noise from passing traffic on nearby main roads.
- A path is proposed to the northwest corner of the site which would funnel pedestrian and cycle traffic from the development onto Greenacres. As properties on Greenacres have open front gardens the number of people walking past to use this route would infringe upon the privacy of existing occupiers. There is also potential for increased crime and antisocial behaviour associated with the delivery of such a footpath.

**Officer note:** The initial masterplan included the introduction of a footway opening onto Greenacres to the northwest corner of the site. This footpath was subsequently removed as part of the amended masterplan and an alternative route is now proposed which extends the existing footway along The Bailey up to the junction with the site access.

***Flooding:***

- The development would increase the amount of hard surfacing on the site which, in turn, would result in greater surface water runoff to surrounding watercourses and more strain on flood defences downstream. As a result, the development is likely to exacerbate local flooding.
- The local drainage infrastructure is incapable of supporting a development of the size proposed.

***Other:***

- The development would have a negative impact on local wildlife using the site by destroying their habitat. Owls, bats, birds and other wildlife can regularly be seen on the site.

- The placement of housing and a play area in close proximity to Skibeden Beck is likely to result in litter in the beck and disturbance to wildlife using the river corridor.
- Creating a woodland walk through the copse of trees to the corner of the site will mean a sharp deterioration for wildlife which is currently fairly undisturbed. The path through the woodland does not appear to deliver any particular benefits if it is unlit and unsurfaced, but it will damage wildlife habitats through the need to remove existing vegetation in the woodland. It would be preferable for any access onto Otley Road to be located in a position which has better natural surveillance and does not require trees to be removed.

7.3 The letters of support opine that there is a need for additional housing in Skipton, and especially for affordable homes which would allow younger people and families to remain in the town. The scheme is supported providing that it delivers a good proportion of affordable homes.

## 8 **Main Issues**

8.1 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development which should be seen as the “golden thread” to guide decision making. The NPPF makes clear that, for decision taking, this means:

- 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 the Framework indicate development should be restricted.

8.2 Having regard to the relevant national and local planning policies, the site’s designation within the CDLP, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:

1. The principle of residential development on the site.
2. The development’s effects on the character and appearance of the area, including designated landscapes and heritage assets.
3. The development’s impact on the amenity of surrounding occupiers and whether it would deliver satisfactory living conditions for future occupiers.
4. The scheme’s effects on highway safety.
5. Whether the development would deliver appropriate planning gain contributions in accordance with relevant national and local planning policies.
6. Other material considerations relating to flooding, ecology, trees, archaeology and effects on gas infrastructure.

## 9 **Analysis**

### **Procedural matters**

9.1 The application is submitted in outline with access being the only matter applied for at this stage. Accordingly, the only elements which would be fixed as part of this application are: (i) the amount of development (the maximum number of dwellings in this case); and (ii) the means of access to the site. Although indicative details of layout, scale and landscaping have been provided at this stage, these are for illustrative purposes only. Matters of layout, scale, external appearance and landscaping are reserved for future consideration and are not before the Council for detailed assessment as part of this application.

9.2 The red line boundary shown on the plans originally submitted with the application included third party land which fell outside the applicant’s ownership. As notice had not been served on the relevant landowners, the application was initially found to be invalid. Amended plans were submitted in

November 2017 showing a reduced red line boundary which omits adjoining third party land from the site. The illustrative masterplan was also updated to show the positions of gas and water mains running through the site and the Transport Assessment has been updated to include revised access arrangements for vehicle and pedestrian traffic as requested by the Local Highway Authority. The appropriate stakeholders were re-notified of the application following the receipt of amended plans and a second round of public consultation undertaken in respect of the updated application. For the avoidance of doubt, the recommendation of Officers is based on the amended plans, a list of which are set out in condition 2.

#### Principle of development

##### ***Site designation and policy context:***

- 9.3 The site falls on the edge of, but outside, the Development Limits defined on the CDLP Proposals Map and, accordingly, is within the open countryside. CDLP policy ENV1 indicates that the Council will protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development. The policy states that “large scale development in the open countryside will only be permitted where it is demonstrated that there is an overriding need for the proposal due to the requirements of the utility services, transport, minerals supply or national security.”
- 9.4 Despite its designation in the CDLP and the restrictions set out in policy ENV1, the land is allocated as a housing site with associated green infrastructure under draft policy SP5 of the ELP (site reference SK088). The policy identifies that the site is capable of delivering approximately 143 dwellings over a net developable area of 4.48 hectares, along with 4.1 hectares of green infrastructure. In addition to this allocation, ELP policy SP5 sets out nine development principles for the site.
- 9.5 Paragraph 215 of the NPPF states that decision takers may give weight to relevant policies in adopted development plan documents according to their degree of consistency with the Framework. As the CDLP was adopted in 1999, in instances where conflicts between the Local Plan and the NPPF arise, paragraph 215 of the NPPF makes clear that the policies in the Framework must take precedence.
- 9.6 Paragraph 216 of the Framework identifies that decision-takers may give weight to relevant policies in emerging plans according to:
  - the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.7 The weight to be afforded to the ELP (albeit that this referred to the pre-publication version dated June 2017) has been assessed at two recent appeals – a Public Inquiry at Elsey Croft (appeal reference APP/C2708/W/16/3150511 concluding on 3<sup>rd</sup> August 2017) and a hearing at Holme Lane (appeal reference APP/C2708/W/17/3166843 concluding on 2<sup>nd</sup> August 2017). Paragraphs 9 and 38 of the respective Inspector’s decisions conclude as follows with respect to the weight to be attached to policies contained within the June 2017 version of the ELP:
  - “Policy H2 of the emerging Craven Local Plan seeks affordable housing at a rate of 40% for schemes of 11 dwellings or more. However, **it is at a very early stage of preparation** with the consultation period for the pre-publication consultation draft concluding at the time of the inquiry. The consultation exercise identified a number of objections to Policy H2, and **so I am of the view that the policy can carry no more than very limited weight.**”
  - “There is no dispute between the parties that **only limited weight can be given to draft Policy ENV13 of the emerging Local Plan.**”

- 9.8 Given the conclusions in the above Inspector's decisions, it is clear that only "very limited" to "limited" weight can be attached to the ELP due to its "very early stage of preparation". Nevertheless, policy SP5 of the ELP indicates the Council's direction of travel with respect to the future development of this site and identifies a number of general principles which can carry some (albeit 'limited') weight in the decision making process. In particular, in allocating the site for residential development, the evidence base to the ELP has concluded that the land is, as a matter of principle, a sustainable location for housing on the edge of the Tier 1 settlement of Skipton.
- 9.9 With reference to the adopted CDLP, the overarching objective of policy ENV1 is to protect the character and quality of the countryside by preventing sporadic, unrestricted development within it. This objective is broadly in accordance with the fifth core land-use planning principle in paragraph 17 of the Framework which requires that the intrinsic character and beauty of the countryside is recognised.
- 9.10 However, the NPPF also makes allowances for other types of development in rural areas which do not fall strictly within the categories identified in policy ENV1. In particular, paragraph 55 of the NPPF recognises that, depending on its location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. With respect to housing in rural areas, the main aim of paragraph 55 is to avoid "new isolated homes in the countryside unless there are special circumstances", though paragraph 29 of the Framework also recognises that "opportunities to maximise sustainable transport solutions will vary from urban to rural areas."
- 9.11 The proposed development does not fall comfortably within any of the categories set out in CDLP policy ENV1 and, accordingly, represents a departure from the adopted Local Plan. It does not, however, follow that this in itself provides sufficient grounds to resist the principle of residential development, particularly as there is conflict between CDLP policy ENV1 and paragraph 55 of the NPPF which is supportive of housing in rural areas providing that it would not lead to the introduction of new isolated homes in the countryside.
- 9.12 There is a strong indication through the site's allocation for housing in the ELP that the principle of residential development will be permissible in accordance with the criteria set out in ELP policy SP5. The ELP Proposals Map indicates that the development on the site should be focussed to the northern and central areas, with a wide buffer of open space provided alongside the river corridor flanking the southern boundary with Otley Road. Narrower buffers of open space are shown to the northern and eastern fringes of the site.
- 9.13 Objectors have raised concerns that the illustrative masterplan does not correspond precisely with the allocations shown on the ELP Proposals Map. Specifically, it is asserted that the developable areas of the site should be moved further to the north to provide a greater stand-off with the river corridor. The allocations on the Proposals Map are intended to illustrate broad, strategic principles to guide the location of development. The map is not intended to set precise, rigid boundaries for developable areas. In this case, the number of dwellings, extent of open space and areas to be provided for development and green infrastructure shown on the illustrative masterplan are substantially in accordance with the requirements set out in ELP policy SP5 and provide buffers of open space and planting to the site perimeter in line with the objectives of that policy.
- 9.14 Objectors have raised concerns with the site's edge-of-settlement location and errors in the Transport Assessment with respect to the frequency of bus services (specifically the 'X84' service). While these concerns are noted (and it is recognised that the bus timetable for the X84 shows an hourly frequency of service for most of the day), it is also the case that the site is *circa* 1.5km walking distance from Skipton town centre (travelling via the longest route along The Bailey and notwithstanding any footpath link provided onto Otley Road as part of the development which would reduce this distance to around 1.1km). Accordingly, the site is readily accessible to shops and services in Skipton by modes of transport other than private car and represents a sustainable location for housing on the edge of Craven's largest settlement. Certainly, it could not be reasonably concluded that the development would be reliant on car-based journeys by reason of its location, or that it would result in the creation of "new isolated homes in the countryside" for the purposes of paragraph 55 of the NPPF.

### ***Housing Land Supply:***

- 9.15 Paragraph 47 of the NPPF requires local planning authorities to boost significantly the supply of housing by identifying “a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply.”
- 9.16 Paragraph 49 of the NPPF indicates that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”
- 9.17 The Council’s latest ‘Five Year Housing Land Supply Methodology and Report’ (published 11 May 2017) indicates that it is able to demonstrate a supply equivalent to 5.49 years. This position has subsequently been updated through the submission of a Statement of Common Ground on 31 July 2017 in connection with an appeal for a residential development at Holme Lane (reference APP/C2708/W/17/3166843) to indicate a housing land supply equivalent to 5.28 years.
- 9.18 The abovementioned appeal provides the most up-to-date independent assessment of the Council’s housing land supply position. Paragraph 39 of the Inspector’s decision for that appeal concludes that:
- “As I find the evidence before me relating to housing land supply to be inconclusive **I have adopted a precautionary approach on the basis that five year supply has not been demonstrated**” (emphasis added).
- 9.19 Another appeal decision for land to the southeast of Colne Road, Glusburn (reference APP/C2708/W/17/3177857) issued on 22 November 2017 concludes, at paragraph 10, as follows with respect to the Council’s current housing land supply position:
- “The Council states that they can demonstrate a five year housing land supply, although they further state that this position has not yet been subject to examination in public. **Whilst I accept that the Council’s evidence has not been tested, the appellant has offered no substantive evidence to the contrary, and so I have been given no proper basis on which to do anything other than accept the Council’s position**” (emphasis added).
- 9.20 Unlike the Holme Lane appeal where the appellant successfully challenged the Council’s housing land supply position at an informal hearing, the appellant for the Colne Road appeal (dealt with through the written representation procedure) did not submit any evidence to refute the Council’s position and, accordingly, failed to convince the Inspector otherwise. As a result, it is considered that the Inspector’s conclusions in respect of the Holme Lane appeal provide the most robust assessment of the Council’s current housing land supply position. Moreover, paragraph 9 of the Inspector’s decision for the Colne Road appeal makes clear that this was dismissed on the grounds of the development’s “unacceptable visual harm [...] in the open countryside” and the outcome did not turn on the question of the presence or absence of a 5 year supply of housing.
- 9.21 Given the above, and as the Council’s position concerning the presence of a five year supply of housing land is marginal, it is considered that the most robust course of action is to adopt the precautionary approach taken by the Inspector in the Holme Lane appeal and assess this application on the basis that the Council is unable to demonstrate a five year supply of housing land.

### ***Conclusion concerning principle of development:***

- 9.22 The site is located within an area of open countryside and the proposal represents a departure from the provisions of policy ENV1 of the CDLP. However, the site is allocated for housing under policy SP5 of the ELP and the proposal follows the general development principles set out in that policy with respect to the number and density of housing and the extent of developable and open space areas. The development would occupy an edge of settlement location which is well related to existing shops, services, employment opportunities and public transport in Skipton in order that it would not result in the

introduction of isolated homes in the countryside. In addition, it is not considered that the Council is able to robustly demonstrate a 5 year supply of housing land for the purposes of paragraph 47 of the NPPF. In these circumstances, the provisions of paragraph 14 of the NPPF are engaged and it follows that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

#### Character and appearance

- 9.23 The overarching objective of CDLP policy ENV1 is to protect the character and quality of the countryside by preventing sporadic, unrestricted development within it. This objective is broadly in accordance with the fifth core land-use planning principle in paragraph 17 of the Framework which requires that the intrinsic character and beauty of the countryside is recognised.
- 9.24 CDLP policy ENV2 sets out four criteria for developments in the open countryside. While the opening text to the policy indicates that policy ENV2 is most directly applicable to development deemed acceptable in principle under policy ENV1 (which is not the case with this development), it contains more detailed general design criteria for developments in the open countryside which are considered to be relevant in this case. Specifically, criteria (1), (2) and (4) of the policy indicate that development within the open countryside will only be permitted where:
- It is compatible with the character of the surrounding area, does not have an unacceptable impact on the landscape and safeguards landscape features including stone walls and hedgerows, worthy of protection.
  - The design of buildings and structures and the materials proposed relate to the setting, taking account of the immediate impact and public views of the development.
  - Services and infrastructure can be provided without causing a serious harmful change to the rural character and appearance of the locality.
- 9.25 In addition, the second, third, fifth and seventh development principles for site SK088 set out in ELP policy SP5 indicate that development proposals should address the following:
- The site is a greenfield site in a prominent position on the edge of Skipton, in relatively close proximity to the Yorkshire Dales National Park. Development proposals for this site will incorporate landscape mitigation(s) including approximately 4.144ha of green infrastructure in the north, south and east of the site, which shall include the protection of the existing area of woodland in the south west of the site.
  - Development proposals will seek to maximise opportunities for links to be made to existing green infrastructure and PROW networks to the north, south and west of the site. The creation of a green corridor in the north of the site will continue the existing pattern of residential development on Green Acres where the dwellings are set back from Harrogate Road.
  - The site is a greenfield site in a prominent position on the edge of Skipton. Development proposals will be carefully and sensitively designed to minimise visual impact on the character and appearance of the area, and include measures to minimise impacts on air quality, noise and light pollution.
  - A Landscape Visual Impact Assessment (LVIA) is required to assess the likely effects of change on the landscape as a result of the development, specifically on views into and out of the Yorkshire Dales National Park. The LVIA will help locate and design the development so that negative landscape effects are avoided, appropriately reduced or offset.
- 9.26 Paragraph 58 of the NPPF sets out six principles that developments should follow in order to achieve good design and paragraph 64 of the Framework indicates that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 9.27 The first bullet point to paragraph 109 of the NPPF also indicates that the planning system should contribute to and enhance the natural and local environment by “protecting and enhancing valued landscapes”.
- 9.28 The site is located approximately 600m from the edge of the Yorkshire Dales National Park (YDNP) boundary which lies to the north. Paragraph 115 of the NPPF indicates that “great weight should be given to conserving landscape and scenic beauty in National Parks [...] which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks”.

***Landscape character:***

- 9.29 The site currently comprises open pastureland flanked by copses of woodland. The land is classified as “Open Upland Pasture/Unenclosed” in the ‘Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal’ (October 2002). Paragraph 4.6.2 of the Landscape Appraisal identifies 3 key characteristics of this landscape type as follows:
- Expansive, open, unenclosed rolling landscape;
  - Large-scale pasture fields bounded by dry-stone walls;
  - Lack of trees and vegetation.
- 9.30 The eastern boundary of the site is marked by a low dry stone wall which borders large parcels of open pastureland beyond that fall in the same landscape classification. A triangular parcel of land to the north which intervenes between The Bailey and the A59 also falls within this landscape type. To the northwest are a group of static chalets forming Overdale Park which are bordered to the west by late 20<sup>th</sup> century housing on the cul-de-sacs of Overdale Grange and Cross Bank. Earlier (*circa* mid-20<sup>th</sup> century) dwellings laid out to a moderate density define the fringes of existing development limits on the opposite side of a railway line to the west. These properties include a mix of bungalows and two storey houses which are predominantly finished in a mix of stone, grey pebble-dash render and tile/weatherboard cladding. Dense buffers of woodland flank the railway line alongside the intervening boundary in two main copses, though vegetation cover thins to the central and north-western edges.
- 9.31 Ground level falls steeply across the site towards a watercourse which forms a low point at the base of a valley running parallel to the southern boundary flanking Otley Road. Otley Road is marked by a corridor of trees to both frontages and open farmland extending to the south of the carriageway begins to rise away from the roadside up to the edge of the Elsey Croft development.
- 9.32 With respect to near-distance views – from vantage points to the east views of dwellings on Greenacres, Clover Hill, Hawk Bank Court and Regent Drive are available through breaks in the woodland straddling the railway. While views from The Bailey to the north are largely restricted by the existing tree line which flanks the roadside, a break in the tree belt to the northeast corner approaching the junction with the A59 allows expansive views across the site towards lower lying land adjacent to Otley Road and of the Elsey Croft development with rising land in the background beyond. There are also exposed views from Otley Road to the south of the site where the areas proposed for development are significantly elevated on a sloping hillside.
- 9.33 The illustrative masterplan indicates that the majority of housing would be focussed around a circular estate road to the northern and central areas of the site. Smaller pockets of development would form ‘doglegs’ to the southeast and southwest corners with a buffer of open space (including a play area) intervening in-between. A row of dwellings to the western edge would also border the upper woodland alongside the western boundary. A single point of vehicle access is proposed from The Bailey to the northwest corner and would necessitate the removal of approximately 5 trees at this point.
- 9.34 The application includes the retention of the existing copses of woodland to the west and southwest of the site, and all existing trees forming the corridor alongside Otley Road to the south (the latter two being protected by TPO). With the exception of those specimens to be removed to provide the access to the northwest corner, the existing belt of trees along the northern boundary would also be retained. The illustrative masterplan shows the introduction of a dense, C-shaped woodland extending to

approximately 0.85 hectares to the northeast, east and southeast of the proposed housing. This woodland would flank the eastern perimeter which borders adjoining pastureland and, by virtue of its size and siting, would provide a substantial shelterbelt screening open views from the northeast on The Bailey, from the east across open fields, and from Otley Road to the southeast. The retention of the existing woodland copses to the west/southwest would afford similar screening from vantage points when leaving Skipton in an eastbound direction on Otley Road and from the housing estate to the west. Views from vantage points on The Bailey would be further minimised through the provision of a corridor of open space flanking the northern boundary in order that the developed areas of the site are in broad alignment with dwellings on Greenacres to the west, as set out in one of the site's development principles in ELP policy SP5.

- 9.35 As noted by objectors, it is recognised that the development would be prominently in view from lower lying vantage points on Otley Road. The shelterbelt to the east/southeast and the retained woodland to the southwest would provide some screening to the corners of the site. In addition, the intervening buffer of open space between the two doglegs of housing would maintain a sense of openness to the north side of the river corridor. Nevertheless, there would still be exposed views of housing on higher ground to the central areas of the site and to the edges of the two doglegs. This is noted by the Council's Tree Officer who recommends the introduction of additional planting along the banks of the watercourse and the use of tree-lined corridors as part of the development layout.
- 9.36 Although matters of layout and landscaping are reserved at this stage, it is considered expedient to impose a condition requiring full details of a landscaping scheme to be submitted as part of any application for reserved matters. The condition requires that, in addition to the retained/additional planting buffers shown on the illustrative masterplan, such a scheme shall include further planting within the river corridor flanking Otley Road and as an integral part of the development layout. Accordingly, satisfactory mitigation measures can be put in place to ensure that the development is assimilated into the surrounding landscape without causing unacceptable harm to its character and quality.
- 9.37 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which includes an assessment of the development's effects in longer distance views, including impacts on the YDNP. The LVIA concludes as follows:
- A large proportion of the site's fabric would change from grassland to built form, however within the areas of Public Open Space around the site's boundaries some grassland would remain, along with the majority of trees, shrubs, hedgerows and dry stone walls. Only a short stretch of tree planting and dry stone wall would need to be removed at the site's access point from the A6131.
  - The character of the site would change from agricultural use to residential development with a high proportion of public open space. This change would have a moderate effect on the immediate character of the site itself and its surrounding character area. Effects on character notably reduce within relative close proximity of the site to the north owing to the semi-enclosed nature of the landform and enclosure by the existing surrounding vegetation.
  - The scheme has been designed to minimise visual intrusion through the avoidance of developing the most visible part of the site and softening the edge of the proposed built form with buffer planting. The proposed layout also provides a green corridor for wildlife along the beck, connecting with the wider countryside to the east.
  - The proposed development responds sympathetically to the local landscape character through the retention of existing features such as the dry stone walls and avenue trees, and their incorporation into the masterplan.
  - The site is very well contained from the wider landscape in views from the immediate north and west. The key receptors are residents in immediately adjacent properties to the west of the site and people using the footpath along the northern edge of Elsey Croft and the Dales High Way long distance trail that passes along the northern edge of Skipton Moor to the south of the site.
  - There would be a moderate visual effect upon the private visual amenity of residents that overlook the site. Separation would generally be provided from existing properties by rear gardens or new buffer planting. There would be a moderate visual effect on users of the two public footpaths to the south of the site. Buffer planting along the southern edge of the built edge

would soften the impact over time. From the wider landscape effects are notably reduced to no greater than a moderate/minor effect on landscape character.

- 9.38 Natural England and the YDNP have been consulted on the application. Neither have raised any objections on the grounds of the development's effects on the National Park and both consultees concur with the conclusions in the LVIA. Given the absence of any objections from those consultees and the conclusions of the LVIA, it is not considered that the development would conflict with the statutory purposes of the National Park, nor would it prejudice the National Park's landscape and scenic beauty contrary to the requirements of paragraph 115 of the NPPF.

***Heritage implications:***

- 9.39 A grade II listed milestone to the north side of The Bailey approaching the junction with the A59 is located on a highway verge opposite the site. The grade II listed building of Low Skibeden Farmhouse also falls approximately 1km to the east in close proximity to the A59/A65 roundabout. The closest boundary of the Skipton Conservation Area is located approximately 320m to the west of the site further along The Bailey. These features are "designated heritage assets" for the purposes of the definition in Annex 2 of the Framework.

- 9.40 Paragraphs 132-134 of the NPPF state, in circumstances where development will impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Framework advises that harm to heritage assets should be avoided unless this is outweighed by public benefits proportionate to that harm. In addition, section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

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- 9.41 The application is accompanied by a heritage statement which includes an assessment of the development's impact on heritage assets within a 1km radius of the site. With respect to the development's impact on the abovementioned heritage assets, this concludes as follows:

- **Milestone at 2.6km from parish boundary** – The milestone is a round-topped stone with iron-facing of V-section. The lettering reads "Skipton and Knaresborough Road, Skipton LB". The significance of this asset lies primarily in its historic value, in the information it provides for the development of the road network. The setting of this asset is the road next to which it was placed, and the town of Skipton which it pointed travellers towards. The proposed site does not form a part of the setting of the asset and thus not contribute towards its significance. The milestone will not experience any change from the proposed development.
- **Low Skibeden Farmhouse** – The site forms part of the wider surroundings of the asset, being within the wider agricultural landscape. Being located 1km away from the asset, it makes no appreciable contribution to the significance of the asset. The agricultural surroundings of the listed farmhouse are illustrated by the agricultural fields which are immediately surrounding the asset. The proposed development would represent a change to the wider surrounding landscape, from agricultural to residential. However, the proposed boundary treatments to the development will ensure that there are no views from the farmhouse to the development and thus will not appear to bring development in closer proximity. In addition, larger and closer areas of agricultural landscape will remain unaffected by the proposed development. Therefore, although the proposed site represents a change within the setting, it is not a change which will result in any harm to the significance of the asset.
- **Skipton Conservation Area** – The site is not identified within the Conservation Area appraisal as being an area of important open space outside of the Conservation Area. In addition, no key views into, or out of the Conservation Area have been identified which look towards, from or through the proposed development site. Residential development within the site would change its character, but within the context of its surroundings, would be seen as an extension of the existing residential development to the west, rather than an isolated development in its own right. In addition, the landscape proposals include the retention of existing woodland and thus

the trees and woodland aspects of the setting of the Conservation Area would remain unchanged.

- 9.42 As identified in the heritage statement, the location and characteristics of the development – including the siting of the substantial areas of landscaping and open space which are to surround it – when combined with its separation from and relationship with neighbouring designated heritage assets, would ensure that the development does not harm the significance of these assets. Accordingly, the development is not in conflict with the requirements of the NPPF or section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 with respect to its effects on heritage assets.

Amenity:

- 9.43 There are no saved Local Plan policies setting out specific criteria for residential developments outside Development Limits with respect to their effects on the amenity of existing occupiers. Nevertheless, the fourth bullet point to paragraph 17 of the NPPF states that one of the core planning principles of the Framework is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 9.44 The closest dwellings are located to north within Overdale Park and to the west on Greenacres, Long Meadow, Clover Hill, Haw Bank Court and Regent Drive. A detached farmhouse (East Fields) is also located to the east of the site. The application does not seek approval for matters concerning the layout, scale or external appearance of the dwellings at this stage. Accordingly, the precise effects arising from impacts linked to those factors would need to be considered further following any application for the approval of reserved matters. It is, however, apparent from the illustrative masterplan that the development would achieve a substantial degree of spacing and screening in relation to neighbouring dwellings.
- 9.45 In respect of those to the north, buffers would be provided by two intervening tree belt flanking both sides of The Bailey and a deep corridor of open space alongside the northern boundary which would place the dwellings on lower lying land to Overdale Park. To the west, embankments to either side of the railway line provide a prominent dividing feature which is supplemented by dense areas of woodland to the rear of properties on Long Meadow and Regent Drive. Where this woodland thins alongside Haw Bank Court and Greenacres, the masterplan shows an offset or side-by-side orientation for the proposed dwellings over a minimum spacing of *circa* 35m. The farmhouse to the east is located approximately 110m from the site boundary and would be extensively screened by the perimeter woodland to the eastern edge of the site. Accordingly, the illustrative masterplan demonstrates that an appropriate relationship can be achieved between the development and neighbouring properties in order that it would not unduly affect their amenity.
- 9.46 Network Rail and the Council's EHO have suggested that a condition should be attached to any permission granted requiring details of noise attenuation for the dwellings to be provided at the detailed design stage. The dominant external noise sources in this case are passing rail traffic from the line to the west and vehicle traffic travelling along the A6131 (north) and Otley Road (south). While future occupiers of the dwellings are unlikely to experience any added noise or disturbance in comparison to neighbouring occupiers in equally close proximity to these features on the estate to the west, as layout is not sought at this stage it is considered expedient to impose an appropriate condition to ensure that measures are put in place to prevent any undue noise and disturbance for future occupiers from these sources.

Highways:

- 9.47 CDLP policy T2 indicates that development proposals will be permitted provided that they are appropriately related to and do not generate volumes of traffic in excess of the capacity of the highway network.
- 9.48 In addition, the sixth development principle for site SK088 set out in ELP policy SP5 indicates that:
- Access to the site is to be gained from Harrogate Road (A6131) with an opportunity for pedestrian access to be provided onto the site from Greenacres to the west.

9.49 The second and third bullet points to paragraph 32 of the NPPF stipulate that planning decisions should take account of whether:

- Safe and suitable access to the site can be achieved for all people.
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe

9.50 The development will generate significant movements. Therefore, the application is supported by a Transport Assessment (TA) as required by paragraph 32 of the NPPF. A Framework Travel Plan (FTP) has also been provided.

**Access:**

9.51 Vehicle access is to be gained via a single point of ingress/egress from The Bailey (A6131) to the northwest corner of the site which would form a priority (give way) junction. The access would be served by a dedicated right hand turning lane with an associated 'ghost island' approach to the centre of the carriageway for eastbound vehicles. The existing carriageway would be widened in a southerly direction to allow the creation of the central turning lane and a 2m wide footway would extend in a westerly direction between the site access and the junction with Greenacres to provide a pedestrian route to the nearby bus stop. A pedestrian refuge to the west of the turning lane would provide a central crossing over The Bailey to connect the footway on the southern flank with a new stretch to the northern verge approaching a bus stop on the opposite side of the A6131.

9.52 Visibility splays of 4.5m x 175m (westerly) and 4.5m x 215m (easterly) would be available at the junction of the site access onto the A6131. Additional access for pedestrians would, subject to agreement with third party landowners (Network Rail and NYCC), be provided via a footpath meandering through the woodland to the southwest corner onto Otley Road.

9.53 While objectors consider that a single point of access to serve the number of dwellings proposed is insufficient, the TA includes a capacity analysis of the proposed junction onto the A6131 which demonstrates that the access will operate within capacity for the peak am and pm periods with the development in place. The Local Highway Authority (LHA) have raised no objections to the proposed means of access to the site subject to the imposition of conditions requiring details of access construction, visibility splays of 2.4m by 215m (east)/2.4m x 160m (west) and delivery of off-site highway works.

9.54 The proposed means of access is in accordance with the sixth development principle set out in ELP policy SP5 and the LHA consider that the access arrangements, together with the off-site highway improvements, would provide a safe and suitable means of access for pedestrian and vehicle traffic. Accordingly, there are not considered to be any conflicts with CDLP policy T2 or paragraph 32 of the NPPF with respect to the proposed access arrangements. Appropriate conditions have been imposed as requested by the LHA, including a scheme for the delivery of a footpath link onto Otley Road (though the final route will be dependent on the co-operation of third party landowners).

**Traffic generation:**

9.55 With reference to the Trip Rate Information Computer System (TRICS) database, the TA estimates that the development would generate 72 two way vehicle movements during the AM peak (8am-9am) and 71 movements in the PM peak (5pm-6pm). This equates to less than 2 vehicles every minute.

9.56 The TA includes a capacity analysis of the following junctions in the vicinity of the site. The analysis establishes a 2017 baseline scenario through traffic surveys undertaken on 28<sup>th</sup> February and compares this with a 2022 estimation of flows comprising the baseline figure plus predicted traffic growth factors and development traffic. The 2022 analysis also factors in traffic from the 'Corner Field' development located *circa* 300m west of the site (for which there was an extant permission for 83 dwellings at the time of the TA) in order to assess cumulative impacts.

- A6131 The Bailey, Site access
- A65/A6131 The Bailey

- A6131 High Street/B6265 Mill Bridge/A6131 The Bailey; and
- A6069 Otley Rd/A6069 Newmarket St/Brougham Street/Shortbank Rd

- 9.57 The results of the junction capacity analysis are expressed as a Ratio to Flow capacity (RFC), along with an estimate of the likely traffic queues. The TA identifies that “RFC values below 0.85 are generally accepted as representing stable and acceptable operating conditions. Values between 0.85 and 1.0 represent variable operation (i.e. possible queues building up at the junction during the period under consideration and increases in vehicular delay moving through the junction). RFC values in excess of 1.0 represent overloaded conditions (i.e. congested conditions when continuous queuing is likely).”
- 9.58 The assessment in the TA concludes that, with the exception of the Newmarket Street approach in the peak PM period (which has an RFC of 0.88), all other junctions will operate at a RFC well below 0.85 during peak periods in the 2022 scenario. With respect to the Newmarket Street approach, this will continue to operate within capacity (i.e. at a RFC off less than 1) and the TA concludes that “queues are minimal and the impacts of the development proposals would be negligible with a minimal increase in RFC’s and queuing expected at the junction as a result of the additional traffic”. Accordingly, the development’s contribution to traffic along this approach is not considered to be significant.
- 9.59 The TA includes an analysis of accident data for the 5 year period between December 2011 and December 2016. The data shows that there was a total of 8 accidents within the study area during the five-year period (an average of just over 1 accident per annum). Of the 8 accidents recorded, 1 was classified as serious in nature, with the remaining 7 accidents being classed as slight. All accidents occurred on the A65, in the vicinity of its junction with the A6131.
- 9.60 The accident analysis for the 5 year period covered in the TA does not include details of a fatal collision between a car and a motorbike at the junction of the A6131 with the A59 in October 2017. The LHA are seeking a financial contribution of £15,000 from the applicant to fund investigative and re-design work to the A6131/A59 junction, with the aforementioned accident largely forming the reason for this contribution being requested. The applicant has agreed to make the contribution requested by the LHA.
- 9.61 The traffic generation, trip distribution, junction capacity and accident analysis undertaken in the TA provide a proportionate assessment of the development’s impact on the surrounding highway network, both individually and in combination with other committed developments in the locality. The Local Highway Authority have not raised any objections to the conclusions set out in the TA and it is noted that the site is allocated for a development of up to 143 dwellings in the ELP. The TA demonstrates that the proposed development would not have a “severe” impact on the capacity of the surrounding highway network, either adjacent to or further away from the site. Accordingly, the development would not create conditions prejudicial to highway safety and is in compliance with the requirements of CDLP policy T2 and the NPPF.
- 9.62 The applicant has submitted a Framework Travel Plan (FTP) in support of the application. The FTP considers the site’s accessibility by modes of transport other than private car and identifies objectives, targets and a series of measures to encourage future occupiers to travel by more sustainable modes of transport. The FTP indicates that the implementation, monitoring and review of a subsequent residential travel plan will be achieved through the appointment of a Travel Plan Co-ordinator. The submission of a Travel Plan and its subsequent implementation can be secured through condition as recommended by the LHA.

***Parking:***

- 9.63 While the site masterplan is submitted for illustrative purposes and, accordingly, does not show precise parking arrangements for individual dwellings, it is apparent from the spacing and density of housing that sufficient in-curtilage parking provision is capable of being made at reserved matters stage without obstructing the public highway. The TA acknowledges NYCC’s car parking standards for residential developments (1 space for 1-2 bed houses, rising to 2 spaces for 3 bed+ properties) and indicates that these can be achieved within the site as part of the scheme’s detailed design.

## Developer contributions

### ***Affordable Housing:***

- 9.64 Paragraph 7 of the NPPF refers to the social dimension of sustainable development and the need to provide a supply of housing to meet the needs of present and future generations. Paragraph 17 indicates as a core principle the need to identify and meet the housing needs of an area. Paragraph 50 advises of the need to deliver a wide range of high quality homes and to create sustainable inclusive and mixed communities. It goes on to state that local authorities should plan for a mix of housing based on the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in different locations.
- 9.65 There is no adopted policy in the CDLP relating to the provision of affordable housing. However, policy H2 of the ELP (as updated following the Full Council meeting on 19.12.17) seeks affordable housing at a minimum rate of 30% for schemes of 11 dwellings or more. The weight which can be attached to ELP policy H2 (albeit in relation an earlier, pre-publication version of the plan which included a requirement for 40% affordable housing provision) has been tested at a recent public inquiry relating to an appeal at Elsey Croft, Skipton (appeal reference APP/C2708/W/16/3150511). Paragraph 9 of the Inspector's decision concludes as follows in this respect:
- "Policy H2 of the emerging *Craven Local Plan* seeks affordable housing at a rate of 40% for schemes of 11 dwellings or more. However, it is at a very early stage of preparation with the consultation period for the pre-publication consultation draft concluding at the time of the inquiry. The consultation exercise identified a number of objections to Policy H2, and so I am of the view that the policy can carry no more than very limited weight."
- 9.66 Despite the absence of an adopted Local Plan policy concerning the provision of affordable housing and the 'very limited weight' which can be attached to ELP policy H2 (though its requirements have changed since the abovementioned appeal), the delivery of affordable housing is an objective of the NPPF and so is a material consideration which must be given significant weight.
- 9.67 The Council's Strategic Housing Market Assessment (SHMA) identifies a need for 145 affordable dwellings per annum in the district. While this cannot translate into a policy requirement, it is nevertheless clear that the evidence in the SHMA provides a strong indication of ongoing need for affordable housing in the district.
- 9.68 Taking all the above into account, it is considered that a requirement for 30% of the dwellings to be provided as affordable housing is justified in this case. The applicant has confirmed their intention to enter into a planning obligation to secure the delivery of affordable housing on the site at a rate of 30%. While precise details concerning the size, mix and tenure of the affordable units cannot be established at the outline stage (with only access having been applied for), should all of the 140 dwellings be brought forward at reserved matters this would result in the provision of 42 affordable homes to meet the definition in the NPPF. The provision of 30% affordable housing is a substantial social benefit which weighs heavily in favour of the proposal. The delivery of affordable housing is to be secured through a planning obligation as set out in the resolution below.

### ***Open Space:***

- 9.69 CLDP policy SRC2 requires new residential developments to provide local open space "within or close to the site" commensurate with the size and nature of the development.
- 9.70 The submitted plans include the provision of 2.2 hectares of public open space concentrated principally to the northern and southern areas of the site. The illustrative masterplan also shows the provision of an on-site play area in the form of a 400sqm LEAP. The Council's Sports Development Officer (SDO) recognises that while the current level of on-site open space provision exceeds the quantity requirements applicable to a development of 140 dwellings (which would equate to 8,190 sqm in total), there is an under-provision for children's equipped play and youth/adult play space (sports pitches) to meet the qualitative requirements of policy SRC2. In addition, the SDO notes that the need for further tree planting and ecological mitigation is likely to reduce the amount of useable open space below the 2.2 hectares currently shown.

- 9.71 As a result of the above, the SDO considers that the development should deliver the following:
- (i) A Neighbourhood Equipped Area for Play (NEAP) within the site providing 7sqm of activity space per dwelling for equipped children's play (945sqm for 140 dwellings) buffered by informal children's play space at a rate of 11sqm per dwelling (1575 sqm for 140 dwellings).
  - (ii) Equipped youth play and recreation provision (e.g. a skatepark, MUGA, iPlay, pump track etc.) at a size of 7sqm per dwelling (1000sqm for 140 dwellings).
  - (iii) In the event that (ii) cannot be delivered on the site, a financial contribution of £1063 per dwelling (£150,000 for 140 units); or, in the case where (ii) is provided on the site, a financial contribution of £719 per dwelling (£100,000 for 140 units), to address identified qualitative deficiencies in local playing fields/courts/allotments that need to be improved to meet the recreational and sports needs for children, youths and adults generated by the development.
- 9.72 As the application is in outline and layout is not applied for at this stage, the provision of items (i) and (ii) above can be controlled through condition. The payment of the relevant off-site financial contributions under (iii) will, however, need to be secured through a planning obligation as set out in the resolution below.

### ***Highways***

- 9.73 The Local Highway Authority have requested a contribution of £15,000 towards investigative and design work associated with improvements to the junction of the A6131 with the A59 to the northeast of the site. This follows a recent fatal accident at the junction and the need to finance works to investigate whether improvement works are needed as a result and to prepare a design for these. The applicant has agreed to make this contribution, which would be secured through a S106 agreement in accordance with the resolution below.

### ***Education***

- 9.74 A number of objectors have referred to a lack of places available in neighbouring schools. The Education Authority (NYCC) have requested that the applicant makes a contribution of £475,860 towards the provision of up to 35 new primary school places in the area.
- 9.75 Although paragraph 72 of the NPPF indicates support for developments that ensure "a sufficient choice of school places [are] available to meet the needs of existing and new communities", this does not translate into a policy requirement for applicants to make financial contributions towards the delivery of new school places. While ELP policy INF6 will (once adopted) allow such contributions to be sought in the future by providing the policy basis for these, there is presently no adopted Local Plan policy to support this requirement. Accordingly, there are insufficient grounds to require the applicant to make the financial contribution requested by the Education Authority in accordance with the Community Infrastructure Levy Regulations.

### **Other Matters:**

#### ***Flood risk:***

- 9.76 Paragraph 100 of the NPPF states that "inappropriate development in areas at risk of flooding [land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency] should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere".
- 9.77 The watercourse of Skibeden Beck runs along an east-west channel to the southern end of the site. Parts of the site alongside the river corridor are located within flood zones 2 (land with between a 1 in 100 and 1 in 1000 or 1% - 0.1% annual probability of river/sea flooding) and 3 (land with a > 1 in 100, or >1% annual probability of river/sea flooding) as defined on the Environment Agency's Flood Map. The remainder of the site is located in flood zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding).

- 9.78 The application is accompanied by a Flood Risk Assessment (FRA). This assesses the development's risk of flooding from multiple sources and concludes that the primary risks to the site are from fluvial or overland surface water flooding of the adjacent watercourse during an extreme rainfall event, though the overall risk is low. In order to mitigate any risk of flooding to areas within and outside the development, the FRA identifies the following mitigation measures:
- All developed areas will be located on parts of the site away from the watercourse which fall within flood zone 1. No buildings or roads will be located in flood zones 2 and 3.
  - The detailed design should consider exceedance and routing of flows away from the buildings.
  - Dwellings should be constructed with the ground floor elevated 150mm above the adjacent ground level.
  - All approach roads to the development are above any predicted flood levels and consequently safe access to and egress from the development should still be achievable during a flood situation.
  - The surface water drainage network should be attenuated, incorporating a restricted discharge to the watercourse and adequate storage being provided (specific details of which are set out in section 5.1 of the FRA) in order to minimise the risk of flooding to the site and other developments.
- 9.79 The Environment Agency (EA), Lead Local Flood Authority (LLFA) and Yorkshire Water (YW) have been consulted on the application. The EA note that all developed areas of the site are to be located on land at the lowest risk of flooding from fluvial sources (within flood zone 1) and have recommended conditions to this effect. The EA have also indicated that the rate of surface water discharge to the nearby watercourse should be restricted to 5l/s.
- 9.80 The LLFA have commented on the outline surface water drainage strategy submitted in connection with the FRA. The LLFA have advised that, based on the FRA's stated greenfield runoff rate of 1.4 litres per second per hectare, the permissible discharge rate from the site should be a maximum of 5 litres per second. The FRA includes volume calculations for flood storage to attenuate flows arising from the 1, 20 and 100 year storm events. The LLFA advise that allowances of 30% for climate change and 10% for urban creep are required to ensure that on-site attenuation storage is capable of accommodating these flows. The LLFA have indicated that conditions should be attached to any permission granted requiring the submission of a scheme for the disposal of foul and surface water, including appropriate allowances for surface water attenuation and controls on discharge rates to the watercourse to ensure that these do not exceed the greenfield rate. Appropriate conditions have been imposed in this regard.
- 9.81 While YW have raised concerns about the proximity of the proposed dwellings and their garden areas to two water mains and an electrical cable crossing the site they accept that, due to the outline nature of the application, an appropriate standoff from this apparatus can be ensured through the imposition of a planning condition requiring a 10m buffer (5m to either side of the centre line of the water main) between their apparatus and the proposed dwellings (though estate roads could cross over the main). A separate condition has also been recommended relating to restricting the rate of foul water discharge from the site.
- 9.82 Given the above, it is apparent that appropriate measures can be put in place through the imposition of conditions to ensure that the development itself is not at an unacceptable risk of flooding and does not increase flood risk elsewhere.

### ***Ecology***

- 9.83 The third bullet point to paragraph 109 of the NPPF indicates 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, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

9.84 In addition, paragraph 118 of the NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following (relevant) principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

Site-specific impacts:

9.85 Objections have been received due to a perceived loss of wildlife habitat arising from the development. The application is accompanied by an ecological survey which includes an impact assessment of the development's effects on protected habitats and species and sets out necessary mitigation measures.

9.86 The survey identifies that the majority of the site's developable area is "species poor and improved". In contrast, the area to the south of the site occupied by Skibeden Beck and its surrounding marshy grassland is "species rich", though this has been compromised by recent cattle grazing and poaching causing erosion of the river banks. In terms of species, the assessment includes specific eDNA testing for amphibians, bat transect surveys, breeding bird and water vole surveys. The ecology survey concludes as follows with respect to these species:

- **Amphibians** – Common toad and common frog have been recorded locally, but there are no great crested newt (GCN) records. There is a pond within 250m of the development boundary and suitable terrestrial habitat on site due to damp grassland and scrub/woodland. Stone walls on site also offer potential refuge sites and hibernacula. The majority of the improved grassland fields offer suboptimal habitat due to the short sward height. An eDNA test on the pond has confirmed absence of GCN with no positive replicates.
- **Bats** – Bat transects recorded foraging activity by common and soprano pipistrelles along the Beck and on the edges of the woodland/ tree areas to the south of the site. These areas are all being retained as part of the development. Common and soprano pipistrelles are not light-sensitive species so their foraging ability will remain unaffected by the development; in fact garden habitats may well increase the foraging value of the habitat. No roosts will be affected.
- **Birds** – The majority of the species recorded and their locations were around the periphery of the site in the adjacent scrub and woodland and are relatively common. As such they are unlikely to be affected directly by any development provided that care is taken to protect these boundaries. A few scrub and hedgerow species were also found within the grassland in scattered bushes adjacent to Skibeden Beck. This area, as with the woodland, is not within the proposed development area but is to be retained as open space. As such they are not within the area likely to be directly affected by any development.

The development would result in the loss of one curlew breeding site in the open area of the field. It would not be possible to mitigate this impact within the development site. There is however likely to be a significant population in the area especially to the south where there are quite extensive areas of suitable habitat in the form of moorland and semi improved grassland. Therefore, whether the displaced birds would find a new area or whether the loss of one territory in this area is significant is debatable.

- **Water vole** – The desktop study identified one local record for European water vole dated 1996 on the Leeds and Liverpool Canal approximately 1800m from the development site. Sections of the Skibeden Beck offer moderate habitat for water vole; though cattle poaching of the beck sides comprises this habitat. No field signs were seen during the survey.

9.87 The survey also includes a site walkover for botanical species, invertebrates, reptiles, badgers and other mammals. This concludes that these species are either absent or would not be prejudiced by the

development as habitats on the site capable of supporting them would be retained as a part of the scheme.

- 9.88 The ecology survey concludes that, with the exception of the likely loss of one breeding bird (curlew) site – though the breeding pair were also observed in the adjacent field to the east and could be displaced to surrounding fields providing the same habitable type – the development will not significantly impact on any notable or protected habitats and species as the most valuable habitats features (areas of woodland, the watercourse and marshland surrounding Skibeden beck) would be retained. In terms of mitigation, section 10 of the survey recommends the following measures:
- The protection of Skibeden beck and its surrounding wetland habitat by fencing this area off from the developed areas of the site, and the improvement of this area through the implementation of a habitat management plan to protect and enhance its ecological diversity. The plan shall also include the woodland within the south west corner. Pathways will be included within the management plan to ensure that walkers keep to certain areas.
  - Any vegetation clearance and topsoil stripping should be avoided during the bird breeding season (late February to late August) unless a survey establishes that breeding ground nesting birds are absent.
  - Drystone walls on site will be retained and renovated.
  - Lighting schemes will avoid light spill onto the southern grassland and beck.

- 9.89 Providing the detailed scheme for the site incorporates the habitat and species protection, mitigation and enhancement measures set out in the ecology survey, the development can be carried out without causing any significant harm to habitats and species of importance on the site. Biodiversity enhancements would also be delivered through the provision of a substantial buffer of additional planting alongside the eastern and southern boundaries of the site. These measures can be secured through the imposition of appropriate planning conditions. Accordingly, appropriate mitigation measures would be put in place and biodiversity enhancements delivered as part of the development to ensure compliance with the objectives of paragraphs 109 and 118 of the NPPF.

Habitat Regulations Assessment (HRA):

- 9.90 Natural England have made representations on the application concerning the development's potential effects on the North Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (a designated European nature conservation site). The development's effects in this regard would be limited to indirect impacts associated with increased access and recreational disturbance arising from the increase in housing over the plan period. Natural England have advised that the Local Planning Authority (LPA) is required to undertake a Habitat Regulations Assessment (HRA) in accordance with Regulations 61 and 62 of the Conservation of Habitats and Species Regulations 2010. Natural England consider that this development should be assessed in the context of the potential for access and recreational disturbance 'in-combination' with other housing sites identified in Craven's ELP, including the identification of any avoidance and mitigation measures required to reduce the damage the development is likely to cause.
- 9.91 The Council published the document titled "Habitat Regulations Assessment – Appropriate Assessment Report (Iteration 1)" (referred to hereafter as the "HRA") in December 2017. The HRA forms a background paper to the Emerging Local Plan (ELP) and includes an Appropriate Assessment (including 'in combination' effects) of the strategic land allocations in the ELP, one of which includes the application site (reference SK088).
- 9.92 Section 8 of the HRA identifies measures to avoid and mitigate development impacts (including cumulative effects), with section 8.2 relating specifically to the North Pennine Moors SAC. Section 8.2 of the HRA identifies that increased recreational pressures on the North Pennine Moors SAC arising from the strategic housing land allocations in the ELP will be mitigated through the provision of "substantial green infrastructure provision, which is aimed at forming a green infrastructure network and linkages around Skipton". Having particular regard to the application site, the HRA identifies that:

- “Appendix IV [of the HRA] shows the range of green spaces and the proposed residential sites in Skipton. The larger proposed residential sites in Skipton each have all significant areas marked for green infrastructure – for example, site SK094 in the southwest, SK013 to the southeast, **SK088 in the northeast**, and the joined up sites of SK081, SK082 and SK108 to the northwest. The green infrastructure provision in these larger sites is strategically located so that they connect up to Public Rights Of Way through the town, to facilitate longer recreational walks from, for example, Aireville Park via green infrastructure areas (in SK081, SK082 & SK108) and Public Rights Of Way onto Skipton Wood or Sharpaw Hill. It is believed that such long, varied and attractive recreational walking opportunities within and adjacent to Skipton greatly reduce the requirement for walking opportunities in the North Pennine Moors SAC. Overall, Skipton is shown to have a range of effective SANGS provision.”

- 9.93 The indicative masterplan includes open space areas comprising: (i) *circa* 2.2 hectares of open greenspace alongside the northern and southern boundaries of the site; (ii) a 400 sqm Locally Equipped Area for Play (LEAP); (iii) the introduction of a woodland planting buffer alongside the eastern boundary covering an area of approximately 0.85 hectares; and (iv) the retention of an existing woodland to the southwest corner extending to *circa* 0.76 hectares. When considered in combination, these areas of green infrastructure total approximately 3.81 hectares (the LEAP being located within area (i) and, accordingly, not counted separately). This level of open space provision is far in excess of the local policy requirement under policy SRC2 of the adopted local plan which would require 0.81 hectares of open space to be delivered on the site. In addition, the applicant has agreed to make an off-site contribution of between £100,000 and £150,000 (dependent on the level of on-site youth play provision) towards delivering enhanced play space, playing pitch and allotment provision elsewhere in Skipton.
- 9.94 The LPA wrote to Natural England on 10<sup>th</sup> January 2018, drawing their attention to the Council’s HRA undertaken in connection with the ELP. The LPA have advised Natural England that it considers the proposed development would, through the provision of substantial areas of open space on the site and a financial contribution to off-site open space, incorporate sufficient measures to mitigate the development’s effects (both alone and in combination with other allocations in the ELP) on the North Pennine Moors SAC as set out in the HRA and ELP.
- 9.95 Natural England’s final comments and response to the LPA’s letter of 10<sup>th</sup> January are awaited. The LPA has been informed that these comments will be forthcoming by 9<sup>th</sup> February 2018 and, accordingly, they will be reported as late observations.
- 9.96 The current response from Natural England indicates that, if the Local Planning Authority is minded to grant permission it will be required, under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended), to notify Natural England “of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England’s advice [...] allow[ing] a further period of 21 days before the operation can commence.” If the approach recommended by Officers in the LPA’s letter of 10<sup>th</sup> January 2018 conflicts with the final advice of Natural England and members are minded to grant permission, the LPA will be required to issue written notification of its intentions to Natural England in accordance with the abovementioned legislation and allow the necessary 21 day period to elapse before issuing any decision.

**Trees:**

- 9.97 Criteria (1) and (2) of CDLP policy ENV10 state that the Council will seek to safeguard trees protected by a preservation order and/or which contribute to the amenity of an area from harm or unjustifiable loss.
- 9.98 The woodland to the southwest corner of the site and a row of trees alongside the southern boundary flanking Otley Road are protected by TPO. While the copse of woodland to the northwest corner and those flanking The Bailey along the northern fringe are not protected by TPO, they are valuable features to the wider woodland composition on the site and as an asset of amenity value when viewed from The Bailey.

- 9.99 The application is accompanied by a tree survey which assesses the condition and retention value of all trees on the site. The tree survey identified one specimen – a Beech tree to the edge of the southwestern woodland (T20) – falling within retention category ‘U’ which needs to be removed due to a hollow, leaning stem that limits its life expectancy to less than 10 years. All other specimens on the site are to be retained, with a number of these forming category ‘B’ (moderate quality) trees and all being in ‘fair’ or ‘good’ condition.
- 9.100 Despite one of the TPO trees being identified for removal in the tree survey due to its condition, this specimen is not shown for removal on the illustrative masterplan. All trees protected by TPO are shown to be retained. A total of 5 trees alongside the northern boundary with The Bailey (G27 in the tree survey) are to be removed in order to allow the construction of the site access. The Council’s Tree Officer has no objections to the removal of these specimens and these losses would be significantly offset through the introduction of a large shelter belt to the eastern end of the site alongside additional planting interspersed between houses. The Tree Officer has also recommended that planting alongside the river corridor is strengthened in order to provide additional screening from Otley Road.
- 9.101 Appropriate conditions have been imposed concerning tree protection and requiring details of additional planting buffers to be introduced along the eastern and southern boundaries of the site with the adjacent field and Otley Road, and as an integral part of the development layout. The retention and strengthening of woodland within the site would result in a substantial net gain in tree cover as part of the development which would provide visual mitigation and biodiversity enhancement.

***Archaeology:***

- 9.102 Paragraph 128 of the NPPF requires applicants to assess the significance of any heritage assets with archaeological interest affected by developments through appropriate desk-based and, where necessary, field evaluations. In addition, paragraph 141 of the Framework requires developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance.
- 9.103 The heritage statement submitted with the application indicates that there is no evidence for prehistoric activity or Roman activity within or in the vicinity of the site. Medieval field boundaries have been identified, visible as earthworks on aerial photographs within and in the vicinity of the proposed site. The boundaries are formed of broad banks between 2m and 4.7m wide and a 3m wide ditch. The heritage statement notes that historic Ordnance Survey maps show the expansion of Skipton eastwards during the late 19th and early 20th-century. They show that the proposed site has most likely been used for agricultural purposes for its mapped history and no buildings or structures are depicted within the boundary.
- 9.104 The County Archaeologist identifies that faint traces of ridge and furrow and former field boundaries are visible on aerial photography, but opines that these are not particularly well preserved and are of low significance. The archaeologist concludes that, while the site has some archaeological potential – particularly for undetected sites of the prehistoric to Roman periods – any remains from this period would be of local or regional significance and should not represent a constraint to development. Accordingly, the County Archaeologist considers that a programme of investigation and recording can be ensured through the imposition of an appropriate planning condition. Therefore, measures can be put in place in order to ensure that the development does not unacceptably impact on heritage assets with archaeological significance and that arrangements are made for the recording of any assets which would be lost in accordance with the requirements of the NPPF.

***Gas infrastructure:***

- 9.105 Paragraph 172 of the NPPF indicates that “planning policies should be based on up-to-date information on the location of major hazards and on the mitigation of the consequences of major accidents.” Paragraph 194 of the NPPF states that “local planning authorities should consult the appropriate bodies when planning, or determining applications, for development around major hazards.” The definition in Annex 2 of the Framework makes clear that “major hazards” include “major hazard installations and pipelines”.

- 9.106 The site is crossed by a high pressure gas pipeline maintained by Northern Gas Networks (NGN). The route of this pipeline is shown on the indicative masterplan. As this is a high pressure gas pipeline, it is not a “major hazard pipeline” for the purposes of the definition in the NPPF and is not maintained by National Grid. Accordingly, consultation with the Health and Safety Executive is not necessary and, instead, the pipeline’s operator (NGN) has been consulted. NGN have identified that there are specified building proximity distances for individual pipelines. While the building proximity distance for this pipeline is not specified by NGN (the applicant being directed to a specific contact to determine this), providing that an appropriate standoff with the pipeline is achieved at detailed design stage, this apparatus will not represent a constraint to development. An appropriate condition requiring a scheme for this has been imposed. Accordingly, there is no conflict with the requirements of paragraphs 172 and 194 of the NPPF in this regard.

## 10 **Conclusion**

- 10.1 The application seeks outline permission (access only) for a residential development of up to 140 dwellings incorporating *circa* 3.81 hectares of green infrastructure on an 8.8 hectare site to the north-eastern fringe of Skipton. The site falls outside the Development Limits identified on the Craven District (Outside the Yorkshire Dales National Park) Local Plan Proposals Map and is therefore within an area of open countryside. The land is, however, identified as a housing allocation (site reference SK088) for up to 143 dwellings under policy SP5 of the Emerging Local Plan (ELP).
- 10.2 The site occupies a sustainable, edge-of-settlement location for housing which is well connected and accessible to services in Skipton. The scheme, with respect to the quantum and layout of housing and green infrastructure, follows the general development principles identified in ELP policy SP5. In addition, it is not considered that the Council is able to robustly demonstrate a 5 year supply of housing land for the purposes of paragraph 47 of the NPPF. In these circumstances, the provisions of paragraph 14 of the NPPF are engaged and it follows that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.
- 10.3 The proposed development, by virtue of its location, size and scale, would result in a significant incursion of urbanisation into the open countryside which would erode its openness and diminish some of the characteristics of the Open Upland landscape of which it forms a component. Nevertheless, the harm to the surrounding landscape would be substantially mitigated by restricting the developable areas of the site and the provision of deep, undeveloped open space and planting buffers to the perimeter of the site. Similarly, the proposal would have no harmful effects on the significance of surrounding heritage assets. The indicative layout, scale and quantum of development would be compatible with the character of the area and surrounding buildings, and the spacing, intervening features and relationship of the proposed dwellings with neighbouring properties would ensure that the development has no undue impact on the privacy and amenity of surrounding occupiers through loss of outlook, overshadowing or overlooking.
- 10.4 The development would incorporate a safe and suitable means of access and would not give rise to any severe residual cumulative transport effects. Accordingly, it would not prejudice the safe and efficient operation of the surrounding highway network, either adjacent to or further away from the site. The development would deliver appropriate contributions towards affordable housing, open space and off-site highway improvements in accordance with relevant local and national planning policies, and measures can be put in place to ensure that the proposal has no adverse effects with respect to trees, flooding, ecology, archaeology and utility infrastructure.
- 10.5 The benefits arising as a result of the development would outweigh any adverse effects of granting permission. Therefore, the proposal is considered to comprise sustainable development in accordance with relevant local and national planning policies.

## 11 **Recommendation**

- 11.1 That subject to the completion of a planning obligation in accordance with the provisions of S106 of the Town and Country Planning Act to secure:

- (iii) The provision, tenure, delivery mechanism, occupation criteria and phasing for a minimum of 30% of the dwellings to be provided as affordable housing as defined in the National Planning Policy Framework.
- (iv) A financial contribution towards the off-site provision, improvement and/or future maintenance of open space to address local deficiencies to comprise either: (a) in the event that no on-site provision is made for youth play space pursuant to condition 10 of this permission - £1,063 per dwelling or; (b) in the event that full on-site provision is made for youth play space pursuant to condition 10 of this permission - £719 per dwelling.
- (v) A financial contribution of £15,000 towards a study for the investigation and design of improvements to the junction of the A6131 and A59 located to the northeast of the site.

Authority is delegated to the Head of Planning to **GRANT** Planning permission subject to the following conditions:

#### **Time limit for commencement (T)**

1. Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **Approved plans (L)**

3. This permission relates to the following plans:
  - Drawing no. YOR.2621.001A – Site location plan (amended plan received 7.11.17).
  - Drawing no. YOR.2621.018F – Illustrative masterplan (amended plan received 7.11.17),
  - Drawing no. SK008 Rev A – Proposed site access arrangement & highways improvement (amended plan received 31.10.17).
  - Drawing no. SK009 Rev A – Site access visibility splays (amended plan received 31.10.17).

Any application for approval of reserved matters submitted pursuant to this permission shall accord with the outline permission insofar as it relates to the site area, the means of access to the development and shall not exceed the maximum number of dwellings applied for.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

#### **Before you commence development (P)**

4. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as “the reserved matters”) before any development takes place:- the layout, scale, external appearance and landscaping of the development.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

5. Any application for approval of reserved matters submitted pursuant to this permission shall ensure that all the dwellings (including their garden areas) are located:
- (i) Entirety within flood zone 1 and outside the areas of flood zones 2 and 3 as identified on the Environmental Agency's "Flood Map for Planning", and there shall be no ground raising within flood zones 2 and 3.
  - (ii) Unless otherwise agreed in writing with the Local Planning Authority (in consultation with the Environment Agency), outside the likely extent of reservoir flooding as identified on the Environmental Agency's "Flood Map for Planning".

Reason: To ensure that development is directed towards areas at the lowest risk of flooding on the site in order that the development is not itself at an unacceptable risk of flooding and does not increase flood risk elsewhere in accordance with the requirements of the National Planning Policy Framework.

6. Any application for approval of reserved matters submitted pursuant to this permission shall include details of the size, siting, height, materials, finish (including colour treatment) and design of a trespass proof fence to be erected along the site's western boundary with the adjacent railway line. The trespass proof fence shall be erected in accordance with the duly approved details before any of the dwellings are first occupied, and shall be maintained as such thereafter.

Reason: To limit the potential for trespass onto the adjacent railway line, to preserve the integrity of the railway network and to minimise opportunities for crime and disorder in accordance with the requirements of the National Planning Policy Framework and section 55 of the British Transport Commission Act 1949.

7. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme to protect the dwellings from noise emissions emanating from passing road and rail traffic. The scheme shall: (a) identify the location of each plot where noise attenuation measures are required; (b) include specific details of the noise attenuation measures to be introduced for each plot; and (c) ensure noise levels of not more than:
- (i) 30 dB(A) Leq (8 hours) and 45 dB(A) Lmax within bedrooms between 23:00 and 07:00;
  - (ii) 35 dB(A) Leq (16 hours) in habitable rooms at all other times; and
  - (iii) 55 dB(A) Leq (16 hours) in garden areas.

Where windows need to remain shut in order to achieve these levels other means of ventilation shall be provided. The development shall thereafter be implemented in accordance with the duly approved scheme.

Reason: To ensure the implementation of appropriate noise attenuation measures for the dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of the National Planning Policy Framework.

8. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme (including details of appropriate easements, standoff and/or building proximity distances) for the protection of the following apparatus crossing the site:
- (i) A 6" high pressure gas pipeline operated by Northern Gas Networks.
  - (ii) Two water mains and an electrical cable operated by Yorkshire Water.

If the scheme includes the diversion of any apparatus then the applicant shall provide written evidence to the Local Planning Authority confirming that the proposed diversion(s) have been agreed with the relevant statutory undertaker before any development on the affected areas of the site first takes place. The development shall thereafter be carried out in full accordance with the duly approved scheme.

Reason: To ensure appropriate measures are put in place to safeguard existing water and gas infrastructure crossing the site and to minimise risks to future occupiers of the development from damage to this apparatus in accordance with the requirements of the National Planning Policy Framework.

9. Any application for approval of reserved matters submitted pursuant to this permission shall include details of finished floor levels and external ground levels for each plot. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the proposed dwellings and surrounding buildings, and to preserve the character and appearance of the area in the interests of residential and visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

10. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme for the provision and future maintenance of public open space on the site. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include the provision of the following elements of public open space within the site:

- (i) Areas of informal open space – including greenspace, landscaping and footpaths (the indicative locations of which are shown on drawing no.YOR.2621.018F), along with associated seating, signage, litter bins and interpretation boards.
- (ii) A Neighbourhood Equipped Area for Play (NEAP) providing a minimum of 7 square metres of activity space per dwelling for equipped children's play and containing no less than 12 play equipment items catering for age ranges from toddlers to 12 year olds.
- (iii) Informal children's play space at a minimum size of 11 square metres per dwelling.
- (iv) Equipped youth play and recreation provision at a minimum size of 7 square metres per dwelling.

The scheme shall include details of the size, siting, layout, design, a schedule of works and future maintenance arrangements for all elements of the public open space, and a timetable for its provision. The public open space shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as public open space.

Reason: To ensure that the development contributes towards the provision and future maintenance of public open space in the vicinity of the site in order to avoid a deficiency in the quantity and quality of recreational open space in the locality, to ensure that the impact of the development on the character of the surrounding landscape is adequately mitigated and to mitigate the development's impact arising from added recreational pressure on the North Pennines Moor Special Area of Conservation and Site of Special Scientific Interest by providing open space for future occupiers of the development within the site in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy SRC2, policy SP5 of the Publication Draft Craven Local Plan, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2010.

11. Any application for approval of reserved matters submitted pursuant to this permission shall include a landscaping scheme containing the following details:

- (i) All trees, hedgerows, grassland and any other vegetation on/overhanging the site to be retained;
- (ii) compensatory planting to replace any trees or hedgerows to be removed as part of the development;
- (iii) the strengthening and/or introduction of landscaping buffers along all boundaries of the site including, but not limited to, the indicative areas shown on drawing no. YOR.2621.018F and within the river corridor (including atop the banking of the watercourse) flanking Otley Road;
- (iv) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) to (iii);

- (v) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate strengthening of existing landscaping on the site, to provide adequate screening for parts of the development and to provide biodiversity enhancements in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and ENV10 and the National Planning Policy Framework.

- 12. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme which specifies the extent of existing drystone walls on the site to be demolished, retained and/or renovated. The scheme shall include details of the location, length and height of all drystone walls on the site and shall specify any modifications to be made to these features. Development shall thereafter be carried out in full accordance with the duly approved scheme and the sections of dry stone wall to be retained and/or renovated shall be maintained as such thereafter.

Reason: To ensure, where practicable, the retention and restoration of existing dry stone walls within the site in the interests of preserving ecological habitats and landscape features of importance in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

- 13. Unless otherwise agreed in writing with the Local Planning Authority, any application for approval of reserved matters submitted pursuant to this permission shall include a scheme for the provision of a footpath to link pedestrian traffic from the development with the existing footway on the A6069 (Otley Road). The scheme shall include details of the route, size, layout, design and construction specification of the footpath and its point of connection with the existing footway on Otley Road (including identifying the need to remove any existing vegetation and/or boundary treatments). The footpath shall be constructed and made available for use in accordance with the duly approved scheme before 25% of the dwellings are first occupied, and shall be retained as such thereafter.

Reason: To maximise opportunities for access between the site and shops, services and facilities in Skipton Town Centre by encouraging sustainable modes of transport and to promote modal shift and increased access by walking in accordance with the requirements of the National Planning Policy Framework.

- 14. Any application for approval of reserved matters submitted pursuant to this permission shall include details of:
  - a) Tactile paving.
  - b) Vehicular, cycle and pedestrian accesses.
  - c) Vehicular and cycle parking.
  - d) Vehicular turning arrangements.
  - e) Manoeuvring arrangements.
  - f) Loading and unloading arrangements.

Development shall thereafter be carried out in full accordance with the duly approved details and the parking, manoeuvring and turning areas shall be provided and made available for use before any dwelling to be served by those areas is first occupied.

Reason: To ensure provision of a safe and suitable means of access, circulation and manoeuvring space in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

15. No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:
- (i) A phased programme and methodology of site investigation and recording to include:
    - a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
    - a targeted archaeological evaluation; and
    - where appropriate, targeted area excavation.
  - (ii) A programme for post investigation assessment to include:
    - analysis of the site investigation records and finds;
    - production of a final report on the significance of the archaeological interest represented.
  - (iii) provision for publication and dissemination of the analysis and report on the site investigation.
  - (iv) provision for archive deposition of the report, finds and records of the site investigation.
  - (v) nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

Reason: To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of construction works in order to record and advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of the National Planning Policy Framework.

16. No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
  - (ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
  - (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to safeguard existing trees on the site which are protected by Tree Preservation Order and are shown to be retained as part of the development before any construction works commence in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV10.

17. No development shall take place until a Construction Environment Management Plan (CEMP) setting out details of measures to protect the watercourse of Skibeden Beck during construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
- a) The extent of open watercourse within the site to be retained and any parts to be culverted.

- b) The siting, height and design of any protective barrier to provide a construction exclusion zone around the watercourse.
- c) Measures to prevent the release of silt and pollution from the site into the watercourse both during and after construction.
- d) A drainage plan showing the interception, storage and settlement of surface water.
- e) A timetable for implementation

Development shall thereafter be carried out in strict accordance with the details and timetable contained within the duly approved CEMP.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the nature conservation interest and habitat value of the watercourse before any development takes place in accordance with the requirements of the National Planning Policy Framework.

18. No development shall take place until a Habitat Management Plan (HMP) to protect and enhance: (a) the watercourse of Skibeden Beck and its surrounding wetland habitat; and (b) the woodland to the southwest corner of the site, has been submitted to and approved in writing by the Local Planning Authority. The HMP shall include:
- (i) Details of the siting, height, materials, design and finish (including colour treatment) of any fencing to be erected to the perimeter of the areas referred to in (a) and (b) to restrict access to those areas.
  - (ii) A scheme to enhance the ecological diversity of the areas referred to in (a) and (b).
  - (iii) Details of the routing, layout, design and construction specification of footpaths crossing the areas referred to in (a) and (b) to provide pedestrian desire lines.
  - (iv) Details of light spillage towards the areas referred to in (a) and (b) and measures indicating how this will be minimised.
  - (v) A timetable for the implementation of (i) to (iv).

Development shall thereafter be carried out in full accordance with the HMP and the timetable contained therein.

Reason: To ensure that appropriate measures are put in place to mitigate the development's impact on ecologically sensitive areas of the site and to secure appropriate biodiversity enhancements as part of the development in accordance with the requirements of the National Planning Policy Framework.

19. No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:
- a) Detailed engineering drawings to a scale of not less than 1:500 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 types of construction proposed for carriageways, cycleways and footways/footpaths;
  - 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 to prevent surface water from non-highway areas discharging onto the existing or proposed highway.
- e) A timetable for completion of the works detailed in a) to d).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide satisfactory facilities for vehicle access, circulation and manoeuvring in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

20. No development shall take place until a scheme for the design and construction of the site access at the junction with the A6131 (The Bailey) – the position and layout of which is shown on drawing nos. SK008 Rev A and SK009 Rev A – has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- (j) Splays giving clear visibility of 215 metres westerly and 160 metres easterly measured along both channel lines of the A6131 from a point measured 2.4 metres down the centre line of the access road. The eye height shall be 1.05 metres and the object height shall be 0.6 metres.
- (iii) A right hand turn lane for eastbound vehicles entering the site from the A6131, including associated ghost island approach and carriageway widening, signing and lining to comply with the standards set out in the Design Manual for Roads and Bridges.
- (iii) Associated tactile paving.

The site access shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant height referred to in (i) thereafter.

Reason: In order to provide a safe and suitable means of access to the site and to ensure a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

21. Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing highway and the site until 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 existing highway have

been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

Reason: In order to provide a safe and suitable means of access to the site in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

22. No development shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision of tactile paving.
- (ii) A pedestrian crossing (including associated refuge island) over the carriageway of the A6131 in the position shown on drawing no. SK008 Rev A.
- (iii) The provision of 2 metre wide footways on the southern (running in a westerly direction from the site access to the junction of Greenacres) and northern (running in an easterly direction from the rear of no. 3 Skibeden Court to the junction of The Avenue) frontages of the A6131 in the positions shown on drawing no. SK008 Rev A.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/15 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the dwellings are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

Reason: To secure improvements to the highway network in order to ensure safe and convenient access for pedestrian and vehicle traffic in the interests of road safety and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

23. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- (a) hours of work for site preparation, delivery of materials and construction;
- (b) arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- (c) details of areas designated for the loading, unloading and storage of plant and materials;
- (d) details of the siting, height and maintenance of security hoarding;
- (e) arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- (f) measures to control the emission of dust and dirt during construction;
- (g) a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- (h) details for the routing of HCVs to the site to avoid Skipton Town Centre.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with the requirements of the National Planning Policy Framework.

24. No Heavy Construction Vehicles (HCVs) shall be permitted to access the site until a survey recording the pre-commencement condition of the surface of the A6131 along the stretch where HCVs are to be routed to the site has been submitted to and approved in writing by the Local Planning Authority. Within 1 month of the development's practical completion (the point when all the dwellings are substantially constructed but not yet occupied) a survey showing the post-development condition of the same stretch of the A6131 shall be submitted to and approved in writing by the Local Planning Authority. The post-development survey shall be accompanied by a scheme which details the extent and construction specification for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated between the pre-commencement and post-development surveys. The works of resurfacing and/or repair set out in the scheme accompanying the post-development survey shall be implemented in full within 1 month of the Local Planning Authority giving its written approval.

Reason: Construction traffic associated with the development has the potential to cause significant deterioration to the surface of the A6131. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles between the pre and post construction periods. The works of resurfacing and/or repair are required in order to ensure continued safe and convenient access for other road users in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

25. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) Separate systems for the disposal of foul and surface water.
- (ii) Measures to ensure that the peak pumped foul water discharge rate does not exceed 4 litres per second.
- (iii) Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the rate of development flow runoff is restricted to a maximum flow rate of 5 litres per second. A 30% allowance shall be made for climate change and an additional 10% allowance made for urban creep for the lifetime of the development. The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 year event (including allowances for climate change and urban creep) will not exceed the runoff from the undeveloped site for the corresponding rainfall event.
- (iv) Details of any flow attenuation measures required to achieve the discharge rate set out in (i). Storage of runoff on the site shall be provided to accommodate the minimum 1 in 100 year critical storm event (including appropriate allowances for climate change and urban creep).
- (v) Details of the treatment of all surface water flows from parking areas and hardstandings (but excluding roof water) through an oil interceptor, road side gullies, reedbed or alternative treatment system prior to their first use.
- (vi) Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including through the use of areas to hold or convey water).
- (vii) Details of how the drainage system will be maintained and managed after completion throughout the lifetime of the development.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

Reason: To ensure that the development is not at an unacceptable risk of flooding and does not increase flood risk elsewhere (including an appropriate allowance for climate change and urban creep) in accordance with the requirements of the National Planning Policy Framework.

### **During building works (C)**

26. No topsoil stripping or clearance of any grassland, trees, scrub or dense tall herbs in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

### **Before the development is occupied (O)**

27. Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Framework Travel Plan by 'SCP' dated May 2017 (report reference TH/16558/TP/1) and shall contain:
- a) details of the appointment of a Travel Plan 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 and timetable 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 thereafter be implemented in accordance with the duly approved details and the timetable contained therein.

Reason: In order to promote modal shift and increased use of sustainable methods of travel in accordance with the objectives of the National Planning Policy Framework.

### **Ongoing conditions (F)**

28. Any projection overhanging existing or proposed footways shall be securely fixed and, unless otherwise agreed in writing with the Local Planning Authority, no part shall be less than 2.4 metres above the footway level and no closer than 0.5 metres from the edge of the carriageway.

Reason: To avoid any obstruction of existing and proposed footways in order to provide clear passage for pedestrians in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

### **Statement of Positive Engagement**

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

#### **Informatives:**

#### **Highways:**

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.

There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.

Works of repair to the adopted highway as a result of damage caused by construction traffic may include replacing carriageway, kerbs, footways, cycleways and verges to the proper line and level.

#### **Environment Agency:**

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of Waller Hill Beck/Skibeden Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

#### **Environmental Health:**

The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

During construction there is a potential for noise nuisance to nearby residential properties. In order to minimise the potential for any adverse effects from noise, it is recommended that operating times for construction should be limited to:

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

#### **Network Rail:**

Given the location of the site at the crest of a railway cutting and adjacent to an operation railway tunnel, it is imperative that the developer liaises with Network Rail's Asset Protection Team prior to work commencing on site to ensure that work can be undertaken safely and that the proposed development will have no adverse impact on the safety of the operational railway environment, including the

Hawbank Tunnel. Network Rail note that preliminary contact with our Asset Protection Team was made earlier this year and require that this liaison continue going forward.

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure.

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 Rail's infrastructure or railway land.

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval. 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. 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.

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.

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.

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A comprehensive list of permitted tree species is available upon request.

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

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.

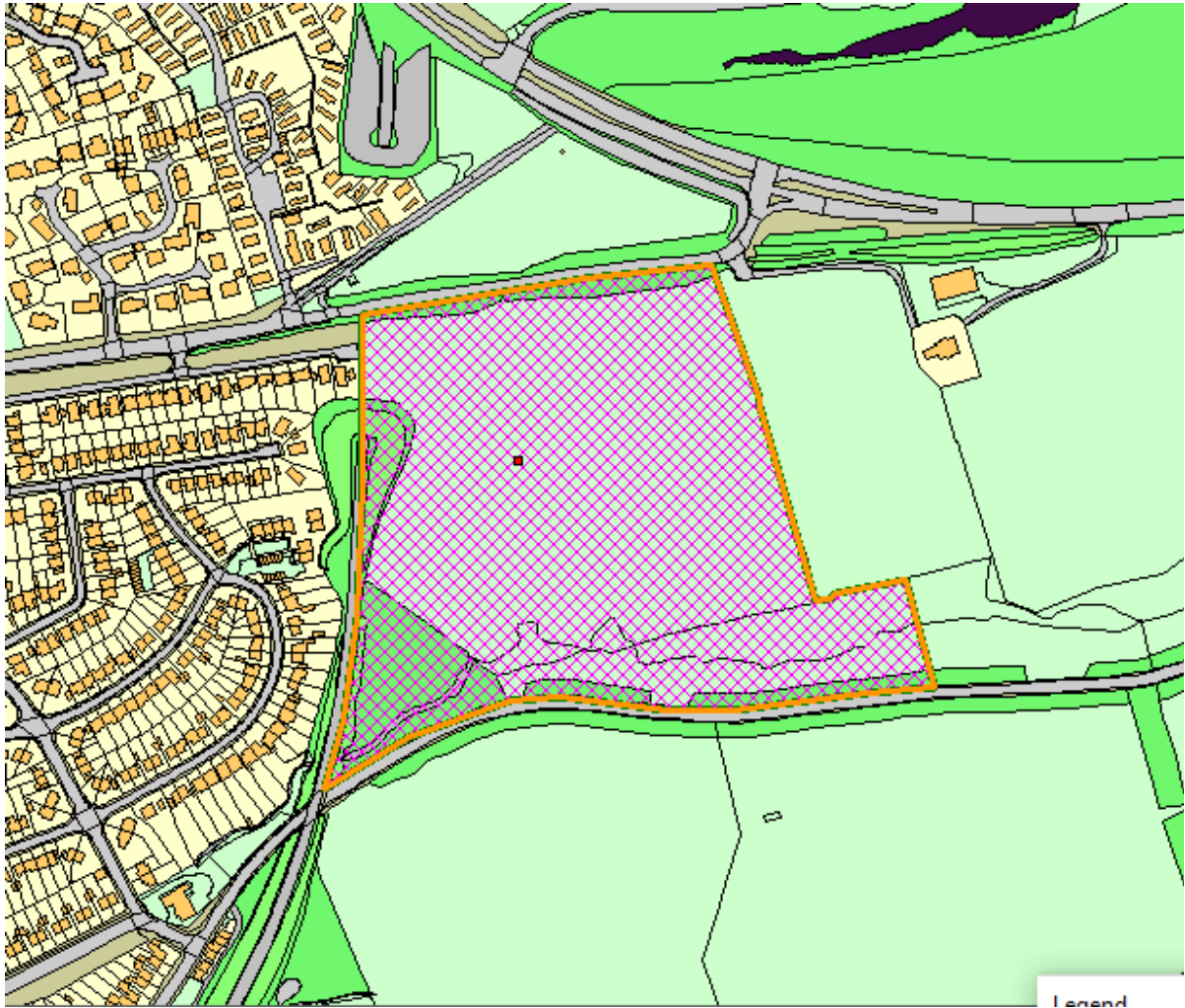
Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### **Northern gas Networks:**

A 6" high pressure gas pipeline runs through the site. There are specific building proximity distances for individual Pipelines dependant on predefined risk levels and the type of development. It is essential you contact Plant Protection Officer Dave Turner on 07811970224 to verify the actual distances for the apparatus shown prior to detailed design stage as this will influence the locations of buildings.

#### **Yorkshire Water:**

Company records indicate that raw and treated mains are located within the site boundary (along with an electrical cable). Both pipes are live and operational and critical to the public water supply for the Skipton area and the areas further north and west within Craven and the Dales served by Embsay water treatment works. The two pipes and cable are laid alongside each other and are protected via a deed of easement. The presence of the mains may affect the layout of the site. Although the application is for outline permission only, and therefore subject to change at reserved matters stage, Yorkshire Water advise that the submitted site layout details are not currently acceptable to them as it appears that buildings will be located over the line of the water mains which would jeopardise Yorkshire Water's ability to maintain the public water supply network. No obstruction should encroach within 5 metres on either side of the centre line between the two pipe mains (i.e. a protected strip width of 10 metres). It may be possible for the mains to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. No houses, gardens, outbuildings, parking spaces should be located within the pipes' easement. It may be possible to locate the access roads over them subject to any ground raising requirement.



**Application Number:** 2017/18237/OUT

**Proposal:** Outline application for a residential development of up to 140 dwellings with associated infrastructure and open space (access applied for with all other matters reserved)

**Site Address:** Land At Hawbank Field, Skipton

**On behalf of:** G Baldwin

## REPORT TO PLANNING COMMITTEE ON 12th February 2018

**Application Number:** 2017/18495/FUL

**Proposal:** Re position existing air conditioning units away from gable of restaurant to location within car park area.

**Site Address:** 59 Main Street Cross Hills BD20 8TT

**On behalf of:** 22 The Square

**Date Registered:** 12th September 2017

**Expiry Date:** 7th November 2017

**Case Officer:** Mr Sam Binney

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**This application has been referred to the Planning Committee by Councillor Barrett due to the proposed location of the units and their close proximity to domestic properties in relation to residential amenity.**

1. Site Description

- 1.1 59 Main Street is a substantial two storey property constructed of regular coursed natural stone under a slate roof. It is located at the junction of Main Street and Beech Street within the main built up area of Cross Hills. The building is currently used as an Italian restaurant ('22 The Square').

2. Proposal

- 2.1 The application seeks planning permission for the relocation of 5 No. air conditioning units. The existing units are currently unauthorised and are located on the western gable of the premises. The existing units have been subject to an enforcement notice and an appeal decision which are attached as Appendix A and B to this report.
- 2.2 The proposal seeks planning permission to locate the units to the south and mounted on the boundary wall separating Beech Street to the West with the existing rear car park to the east. The air conditioning units would be secured in a mesh cage.

3 Planning History

- 3.1 5/32/196 – Change of use at 59 Main St, Cross Hills, to restaurant on ground floor and living accommodation on first floor with car park at rear. Approved 31/07/1978.
- 3.2 5/32/196/A – Change of use at 59 Main Street, Cross Hills, restaurant on ground floor and living accommodation on first floor, with car park at rear. Approved 25/09/1978.
- 3.3 5/32/196/C – Erection of single storey extension to restaurant. Refused 04/05/1984.
- 3.4 5/32/196/D – Alterations to restaurant 59 and 57 Main Street, Crosshills, comprising formation of dining room extension, extension of car parking facilities and formation of lock up shop in part of no. 57. Approved 11/09/1984.
- 3.5 5/32/196/E – improved (ramp) access and bar area to facilitate accommodation for the disabled at 59 Main Street, Cross Hills. Refused 24/08/1987.
- 3.6 5/32/196/F – improved (ramp) access to facilitate accommodation for the disabled and elderly at 59 Main Street, Cross Hills. Approved 21/10/1987.

- 3.7 5/32/196/G – erection of TV satellite antenna. Approved 09/05/1988.
- 3.8 5/32/196/H – proposed toilet facilities for the disabled and improved kitchen. Approved 28/09/1989.
- 3.9 5/32/196/J – new shopfront to 57 Main Street, Cross Hills. Approved 11/02/1991.
- 3.10 5/32/196/K – internally illuminated shop sign at 57 Main Street, Cross Hills, for Cross Hills Freezer Centre. Approved 25/03/1991.
- 3.11 5/32/196/L – Change of use to sandwich and snack bar with take-away facilities. Approved 05/08/1991. 5/32/196/M – proposed extension to restaurant kitchens, demolition and rebuilding of basement w.c. Approved 13/12/1996.
- 3.12 32/2007/8107 - Proposed smokers balcony to rear. Approved 31/01/2008.
- 3.13 32/2010/10463 - Conversion of restaurant and associated areas to form 6 residential units. Approved 12/05/2010.
- 3.14 32/2014/15211 - Remodelling and extension of existing restaurant premises, including change of use from flat to restaurant, to include new wine bar – Approved 13/01/15.
- 3.15 32/2014/15212 - 2 x Fascia Signs And 1 x Hanging Sign. Approved 08/01/2015.
- 3.16 32/2015/16252 - Retrospective application for the retention of 5 no. air conditioning condensor units. Refused 03/12/2015.
- 4 Planning Policy Background
- 4.1 National Planning Policy Framework (2012) – Sections 7 and 11.
- 5 Parish/Town Council Comments
- 5.1 Glusburn Parish Council: No comments received within statutory consultation period.
- 6 Consultations
- 6.1 CDC Environmental Health: There is potential for noise nuisance to nearby residential properties. The submitted noise assessment that has been submitted is not satisfactory. A condition has been recommended requiring the submission and written agreement to a noise assessment to safeguard the living conditions of nearby residents.
- 7 Representations
- 7.1 Site Notice dated 03/11/17.
- 7.2 Press Notice not required.
- 7.3 Notification letters sent to 6 neighbouring properties.
- 7.4 2 letters of representation have been received (outside the statutory consultation period). A summary of the objections are outlined below:
  - “The noise would be horrendous”.
  - Noise nuisance complaints have been reported previously.
- 8 Summary of Principal Planning Issues
- 8.1 The impact of the development upon the character and appearance of the surrounding area; the impact of any noise from the units on neighbouring occupiers.
- 9 Analysis
- The impact of the development upon the character and appearance of the surrounding area
- 9.1 The air conditioning units are not especially large individually, the two largest each measuring approximately 1.2 metres (length) x 1.2 metres (height) x 0.3 metres (width) and the two smallest measuring 1 metre (length) x 0.7 metres (height) x 0.3 metres (width). The units would be enclosed behind a mesh cage. When viewed collectively they appear quite substantial covering an overall area

measuring some 6.60 x 0.8 metres (5.28 square metres). The units will be fixed onto the existing boundary wall between the rear car park and the footpath adjoining Beech Street.

- 9.2 The units will be relatively prominent from the car park and from Back Colne Road to the south-east. Despite being central to the settlement, there is an abundance of residential properties in the surrounding area. Back Colne Road is a quiet cobbled back street connecting Holme Lane to the east with Keighley Road further to the west. It will have limited traffic flowing through it but will be used primarily as a pedestrian access for residents walking to the centre of Cross Hills.
- 9.3 The units will be colour coated grey which does not readily harmonise with the weathered stone against which they would be viewed. However, as the location of the units is not prominent it is considered that the units will not detract from the appearance of the surrounding area.

#### The impact of any noise from the units on nearby residents

- 9.4 As the units are located in a part residential area Environmental Health are keen to ensure that noise from them does not unduly disturb local residents. To establish this they have requested that they be properly acoustically assessed. A basic noise assessment has been submitted with the application but it is not considered to be satisfactory. A condition has been recommended requiring the submission and written agreement of a noise assessment to ensure the noise does not unduly affect neighbouring occupiers.

#### 10 Conclusion

It is considered that subject to the conditions, the development complies with the requirements of Sections 7 and 11 of the National Planning Policy Framework. The relocation of the air conditioning units will be beneficial to the surrounding area and upon approval of a noise assessment the units would not unduly disturb neighbouring occupiers.

#### 11 Recommendation

- 11.1 That planning permission is approved.

#### Conditions

##### **Time Limit for Commencement**

1. The air conditioning units hereby permitted shall be relocated from the gable wall of the property to the position shown on drawing P02 Rev A within six months of the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 and encourage the commencement of development in a prompt manner. In particular this time limit is imposed as an element of justification for the permission includes facilitating compliance with an Enforcement Notice dated 18 February 2016 as amended by the appeal decision dated 6 December 2016 together with the associated benefits to the character and appearance of the surrounding area.

##### **Approved Plans**

2. The permission relates to the following plans:

- Drawing No. P02 Rev A received 12<sup>th</sup> October 2017.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan and the National Planning Policy Framework.

### **Before You Commence Development**

3. Prior to the commencement of development, a noise assessment of the proposed development shall be carried out to BS 4142 by a suitably qualified person. A narrow band frequency analysis should also be carried out and the graph showing the results should be attached to the report to prove there is no tone.

The assessment shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the agreed specifications, recommendations and noise attenuation. The agreed measures shall be thereafter, retained and maintained for the duration of the approved use.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise.”

#### **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.

#### **Informative**

A copy of the enforcement notice of 18 February 2016 and the appeal decision dated 6 December 2016 is attached to this decision.

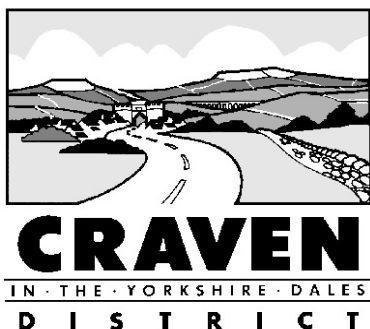


**Application Number:** 2017/18495/FUL

**Proposal:** Re position existing air conditioning units away from gable of restaurant to location within car park area.

**Site Address:** 59 Main Street Cross Hills BD20 8TT

**On behalf of:** 22 The Square



**Development Management**  
 Craven District Council  
 1 Belle Vue Square  
 Broughton Road  
 SKIPTON  
 North Yorkshire  
 BD23 1FJ

(Main Switchboard) Telephone: 01756 700600

## Craven District Council - List of Planning Decisions from 04-01-2018 to 01-02-2018

The undermentioned decision notices are available to view online at <https://publicaccess.cravencd.gov.uk/online-applications/>

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
31/2016/16637	Mr Michael Smith	Land Adjacent To Raines Road Giggleswick Settle North Yorkshire BD24 0AG	Discharge of condition no 7 and part discharge of condition no 4 of previously approved application referenced 31/2013/13807- Development of 7 houses resubmission of 31/2013/13627 and discharge of condition no 3 and part discharge of condition no 8 (i) and 8 (iii) for application 31/2014/15285 - reserved matters application for the development of 7 houses for appearance, landscape, layout and scale for outline application 31/2013/13807	Finally Disposed Of	01.02.2018
21/2016/17019	Candelisa	Station Works Cononley Lane Cononley Keighley BD20 8LN	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	Approve with Conditions	31.01.2018
2017/18145/FUL	SECOND TRINITY LIMITED	Land Adj Farther Fence End Steading Colne And Broughton Road Thornton In Craven Skipton	Construction of new agricultural access track	Refuse	18.01.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18182/FUL	Mr Leslie Ingham	Barn South Of Lower Gill Bottom Shop Lane Cowling Keighley	Conversion of barn to dwellinghouse	Approve with Conditions	26.01.2018
2017/18245/CND	Mr M, J & R Brooksbank	Land At Laurel Croft Embsay Skipton BD23 6RF	Application to discharge Condition no 5 of the Outline Planning Permission (as set out in the appeal decision APP/C2708/W/16/3144209) that was varied under a Non-Material Amendment permission (reference 26/2016/17630)	DOC satisfactory	19.01.2018
2017/18298/CND	Mr David Cocks	Canal Wharf Yard Priest Bank Road Kildwick Keighley BD20 9BH	Application to discharge condition no 7 and partial discharge of condition no 6 of previously approved application 73/2016/16782	DOC satisfactory	11.01.2018
2017/18342/FUL	Gallaber Park Limited	Land At Gallaber Park Back Lane To Long Preston Bridge Hellifield	Construction of new clubhouse and fitness room	Approve with Conditions	26.01.2018
2017/18350/FUL	Environment Agency	Land On South Side Of A65/A59, Approximately 260M West Of Where The Road Crosses Eller Beck. Skipton	Creation of a maintenance layby on the south side of the A65, west of Eller Beck, Skipton.	Approve with Conditions	16.01.2018
2017/18384/LBC	Arriva Rail Northern	Skipton Railway Station Broughton Road Skipton BD23 1RT	Listed building consent for refurbishment works to be carried out to existing staff facilities including male, female WC's, locker areas, driver booking area, union office and staff mess facilities.	Approve with Conditions	10.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18389/LBC	Mr Andrew Davidson	Sutcliffe House Belle Hill Giggleswick Settle BD24 0BA	Replacement of bathroom window with double glazed window in a timber frame. Replacement of 4 light mullion kitchen windows with double glazed units.	Approve with Conditions	10.01.2018
2017/18393/CND	JD&MH Cotterill Developers	Clitheroe Works Clitheroe Street Skipton BD23 1SU	Application to discharge condition no's 3, 4, 6, 13, 16, 21 and 22 of previously approved application 63/2014/15027	DOC satisfactory	11.01.2018
2017/18395/FUL	Mr G White	Land Off Ellers Road Sutton-in-Craven BD20 7BL	Retrospective application for the retention of an area of hardstanding adjacent to the stable block approved by planning consent reference 66/2015/16211	Approve no conditions	26.01.2018
2017/18472/FUL	The Coniston Hotel	The Coniston Hotel Coniston Cold Skipton BD23 4EA	Construction of 7 woodland holiday lodges with associated parking spaces including formation of new access road and re-siting of existing 4X4 experience cabin and parking	Approve with Conditions	16.01.2018
2017/18477/FUL	Craven District Council	Town Hall High Street Skipton BD23 1AH	Partially demolish existing building and build new extension to east of Concert Hall. Upgrading to roof and external walls of 1970's extension to the north. Internal reconfiguration of building and increase in roof height above reception area. Removal of 1920's proscenium arch and fixed stage, reinstatement and repair of wall and ceiling decoration, alterations to lighting and heating systems. Installation of bleacher seating.	Approve with Conditions	17.01.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18478/LBC	Craven District Council	Town Hall High Street Skipton BD23 1AH	Partially demolish existing building and build new extension to east of Concert Hall. Upgrading to roof and external walls of 1970's extension to the north. Internal reconfiguration of building and increase in roof height above reception area. Removal of 1920's proscenium arch and fixed stage, reinstatement and repair of wall and ceiling decoration, alterations to lighting and heating systems. Installation of bleacher seating.	Approve with Conditions	17.01.2018
2017/18492/OUT	Mr Stephen Shelton	Land Off Meadow Lane/Moorfoot Lane Cononley BD20 8LL	Outline application for a residential development of 4 dwellings with associated garages (access and layout applied for with all other matters reserved)	Approve with Conditions	16.01.2018
2017/18527/FUL	James Wade Homes Ltd	St Peter's Methodist Church Main Street Cross Hills Keighley BD20 8TF	Conversion and extension of existing church hall to form 10 apartments with access from Main Street including formation of associated parking and communal garden areas	Approve with Conditions	09.01.2018
2017/18560/HH	Mr And Mrs Iain And Karen Povey	7 Springfield Crescent High Bentham Lancaster LA2 7BD	Lift up section of roof over garage to allow first floor bedroom extension and other alterations to existing dwelling	Approve with Conditions	18.01.2018
2017/18543/CND	Mr M Stead	3 White Abbey Green Lane Glusburn Keighley BD20 8RL	Application to discharge condition no's 3, 4, 5, 8, 10, 13, 14, 15 and 16 of planning permission 32/2016/17488 granted 14/02/2017.	DOC satisfactory	30.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18549/HH	Mr Robert Mullinder	Post Office Low Lane To A65 Draughton Skipton BD23 6DU	Proposed porch and formation of off-street car parking space to front of property. Repositioning of existing old telephone box to north west corner of the curtilage	Approve with Conditions	30.01.2018
2017/18570/FUL	Mr & Mrs David and Jean Ward	The Bungalow Coach House Residential Home Carla Beck Lane Carleton Skipton BD23 3BU	Minor engineering works to form new filter bed of clean stone on line of existing septic tank outlet to existing soak away system.	Approve with Conditions	17.01.2018
2017/18571/FUL	Ms Jennifer Martin	Linden House 9 And 11 Main Street Ingleton Carnforth LA6 3EB	Subdivision of existing shop into 2 units, erection of rear entrance extension to first floor apartment including roof terrace	Approve with Conditions	17.01.2018
2017/18583/HH	Mr Chris Medley	5 Hey Farm Cottages Park Lane Cowling Keighley BD22 0NH	Demolition of existing conservatory and porch and construction of new porch	Approve with Conditions	05.01.2018
2017/18607/HH	Mr Ian Gill	Hollin Root Barn Off West Lane Sutton-in-craven Keighley BD20 7AU	Construction of two storey extension to existing detached residential dwelling, and demolition of detached garage	Approve with Conditions	12.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18620/CND	Triton Construction Limited	2 Belle Vue Square Broughton Road Skipton BD23 1FJ	Retrospective application for smoke control and roof vents pursuant to condition 9 of planning permission 63/2016/17670	DOC satisfactory	09.01.2018
2017/18639/CND	Skipton Properties Ltd	Elsey Croft Development Moorview Way Skipton BD23 2TW	Application to discharge conditions 2 and 4 of original planning permission 63/2015/16427 approved under appeal reference APP/C2708/W/16/3150511	DOC satisfactory	30.01.2018
2017/18657/HH	Mr Sharrafit Ali	58 Broughton Road Skipton BD23 1SS	Replace flat roof with pitched slated roof to rear single storey outbuilding, take down rear single storey outbuilding and build 2no new two storey rear extensions.	Approve with Conditions	18.01.2018
2017/18658/LBC	Mr Tom Wilman	6 Queens Street Skipton BD23 1HE	Re-plastering, kitchen replacement and bathroom installation and other internal works	Approve with Conditions	30.01.2018
2017/18661/FUL	Mr Mark Webb	3 The Bailey Skipton BD23 1AP	Erection of a chalet to provide rented holiday accommodation	Approve with Conditions	16.01.2018
2017/18669/FUL	Mr J Isdale	Marton Hall Priory Thornton Road West Marton Skipton	Conversion and extension of stable block to form one bedroom annexe to priory cottage	Approve with Conditions	10.01.2018
2017/18678/FUL	Mrs K Ethell-Davies	Gasker Lawkland Lancaster LA2 8AT	Erection of timber stables with associated storage and construction of detached garage	Approve with Conditions	05.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18697/FUL	Ye Olde Naked Man Cafe	Ye Old Naked Man Cafe Market Place Settle BD24 9ED	Internal alterations at ground floor to enlarge existing commercial kitchen through removal of staircase and reconfiguration of office space at first floor including insertion of doorway on north facing elevation to form external entrance to self contained flat and office	Approve with Conditions	09.01.2018
2017/18698/LBC	Ye Olde Naked Man Cafe	Ye Old Naked Man Cafe Market Place Settle BD24 9ED	Internal alterations at ground floor to enlarge existing commercial kitchen through removal of staircase and reconfiguration of office space at first floor including insertion of doorway on north facing elevation to form external entrance to self contained flat and office	Approve with Conditions	09.01.2018
2017/18699/CND	Mr Mark Bradshaw	Stockbridge Laithe Thornton In Craven Skipton	Application to discharge conditions 3,4,5 and 6 of planning permission 2017/18332/FUL	DOC satisfactory	05.01.2018
2017/18704/FUL	Mr Richard Barron	Dales Valley View Cottage Swinden Hellifield Skipton BD23 4LS	Change of use of building from two holiday cottages to one residential dwelling (resubmission of refused planning application reference 42/2017/18093)	Refuse	16.01.2018
2017/18707/COU	Will Bird Limited	8A Main Street Cross Hills Keighley BD20 8TB	Change of use from A1 Lingerie Shop to A3 Pancake House, to include enclosed external seating area.	Approve with Conditions	18.01.2018
2017/18710/HH	Mr & Mrs Jeremy Holderness	Kimberley Skipton Road Low Bradley Keighley BD20 9ED	Erection of outbuilding to provide garage, store and jacuzzi therapy suite including demolition of existing garage and greenhouse	Approve with Conditions	08.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18711/MMA	Mr David Cocks	Canal Wharf Yard Priest Bank Road Kildwick BD20 9BH BD20 9BH	Application for a minor material amendment to original planning consent reference 73/2016/16782 to alter roof form.	Approve with Conditions	10.01.2018
2017/18712/HH	M Barket	22 Gisburn Street Skipton BD23 1TD	Two storey and single storey rear extension	Approve with Conditions	12.01.2018
2017/18716/FUL	Mrs Lucy Lawson	Land Adjacent To Green Smithy Mewith Bentham LA2 7DH	Erection of L-shaped stable block, consisting of two stables and a small feed area	Approve with Conditions	19.01.2018
2017/18717/HH	Mr A Shackleton	5 Aireville Grange Gargrave Road Skipton BD23 1UB	Replace existing windows with PVC and build new stone shed	Approve with Conditions	26.01.2018
2017/18722/HH	Mr J Bontoft	28 Tarn Moor Crescent Skipton BD23 1LT	Proposed three storey side extension (resubmission of application reference 63/2017/17747)	Refuse	15.01.2018
2017/18723/MMA	Wm Morrison Supermarkets PLC	W M Morrison Supermarkets Plc Broughton Road Skipton BD23 1RT	Application to vary Condition 6 of previously approved application 2017/18408/ADV to allow alterations to sign 12.	Approve with Conditions	18.01.2018
2017/18729/HH	Mrs Gina Lazenby	6 Moorland Avenue Back Ermysted Skipton BD23 2EZ	Retrospective application for erection of raised platform to rear of dwelling	Approve no conditions	05.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18748/TCA	Mr David Goldie	Howgill House Low Lane Draughton Skipton BD23 6EE	Ash - Remove	Approve Tree Works in Conservation Area	08.01.2018
2017/18734/FUL	Mr R Riley	Lower Weasel Green Farm Moorside Stockshott Lane Cononley Keighley BD20 8ED	New general agricultural building	Approve with Conditions	18.01.2018
2017/18735/FUL	Mr T Priestley	Land Off Strikes Lane Sutton In Craven Skipton BD20 7BJ	Multi-purpose agricultural building.	Approve with Conditions	05.01.2018
2017/18736/CND	Inghams Design And Build Limited	Dovetail Colne Road Cowling Keighley BD22 0NN	Application to discharge condition no. 7 (access details only - no materials) from original planning application referenced 2017/18269/FUL approved 26/09/2017	DOC satisfactory	10.01.2018
2017/18737/HH	Mr & Mrs Alan Cairns	39 High Street Gargrave Skipton BD23 3RA	Demolition of two single storey lean-to extensions, to be replaced with a single storey extension.	Approve with Conditions	15.01.2018
2017/18739/HH	Mr & Mrs Hopkins	Fox Croft Barn White Hill Lane Lothersdale Keighley BD20 8HX	Single storey extension to existing barn conversion and two storey extension to existing garage to form gym/studio & home office/occasional bedroom	Approve with Conditions	05.01.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18740/HH	Mr & Mrs Andrew Day	1 Garden Terrace West Road Carleton Skipton BD23 3EB	Proposed single storey rear extension and rear first floor extension above existing kitchen	Approve with Conditions	11.01.2018
2017/18742/TCA	Skipton Building Society	Skipton Building Society The Bailey Skipton BD23 1AP	<p>T5 - Wild Cherry - Remove due to unacceptable risk of damage to property (i.e. parked cars).</p> <p>T6 - Italian Alder - Remove due to short remaining life expectancy.</p> <p>G2 - Beech, Ash, Cherry - Thin group by removal of 1no. young Ash (most easterly in group, with stem nearly in contact with wall), 1no. semi-mature Ash, and 1no. early-mature Cherry (locations identified on Tree Survey Plan).</p> <p>G7 - Ash, Field Maple, Wild Cherry - Thin group by removal of 2no. semi-mature Ash and 1no. young Rowan in closely spaced group to rear of refuse and charity skips, and removal of 1no. semi-mature Alder standing to south of this area between Sycamore and Lime (locations identified on Tree Survey Plan) &amp; prune, where necessary, to reduce lateral spread of boundary group in order to obtain a 1m clearance from lights and signs.</p> <p>G9 - Downy Birch, Lilac, Sycamore - Prune, where necessary, to reduce lateral spread of boundary group to obtain a clearance of 1m from north-west street light, and to obtain a 1.5m clearance from stair-case and carpark.</p>	Approve Tree Works in Conservation Area	08.01.2018
2017/18745/FUL	Mr Victor Craven	Lairgill House Mount Pleasant High Bentham Lancaster LA2 7LA	Erection of a detached two storey dwellinghouse (revision to planning approval reference 08/2016/16590)	Approve with Conditions	10.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18747/ADV	Rontec Watford Ltd	Keighley Filling Station Station Road Cross Hills Keighley BD20 7DT	Post-mounted totem sign, sunk into ground	Approve with Conditions	19.01.2018
2017/18750/FUL	Mr Edward Parker	Lower Sirebank Farm Jacksons Lane Low Bradley Keighley BD20 9HG	Extension of an existing livestock building, to include additional housing, a milking parlour and a general storage area.	Approve with Conditions	10.01.2018
2017/18764/COU	R & M Wheildon	Green Head Offices Cross Lane Low Bentham Lancaster LA2 7ES	Change of use of existing office to residential use and retention of existing commercial storage	Approve with Conditions	11.01.2018
2017/18751/FUL	M & P Clarke	Brown House Farm Old Lane To Brown House Thornton In Craven Skipton BD23 3TD	Erection of Agricultural Workers Dwelling	Approve with Conditions	18.01.2018
2017/18760/FUL	Mr Steven Briggs	Thornton Village Hall Colne And Broughton Road Thornton In Craven Skipton BD23 3TJ	Widen the existing gateway by removing 2m of limestone wall. The existing flower bed is also to be removed and tarmaced.	Approve with Conditions	24.01.2018
2017/18763/HH	Mr & Mrs Bateman	Woodlands Nethergill Lane Cononley Keighley BD20 8PB	Proposed detached private garage with playroom over and associated engineering works	Approve with Conditions	19.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18779/TPO	Mr Gary Blackburn	Summers Gill/Horrocks Close Lothersdale Keighley BD20 8HQ	G1 - 1m clearance where possible around BT wire; T1 Beech - fell tree as its in major decline and rotten; T2 Horse chestnut - remove first large lowest limb growing towards building, remove heavy large limb and weight towards building; T3 - reduce back canopy by 1.5m and reduce weight to bring tree into natural shape.	Approved Tree Work under TPO	08.01.2018
2017/18780/TPO	Mr Jeff Curtis	1 Pine Close Granville Street Skipton BD23 1PR	T1 Scotts Pine - remove limb overhanging the property (T14 of TPO 35 1985)	Split Decision	08.01.2018
2017/18774/TCA	Mr Richard Barrett	Gott Hill Farm Ellers Road Sutton-in-craven Keighley BD20 7ND	T1 Silver Birch - fell	Approve Tree Works in Conservation Area	08.01.2018
2017/18781/TCA	Mr Brian Parsons	Prospect House North Road Sutton-in-craven Keighley BD20 7PQ	T1 & T2 Yew - Crown thin by 30% and crown reduction by 3m	Approve Tree Works in Conservation Area	08.01.2018
2017/18796/PNAG	Second Trinity Limited	Agricultural Barn - Fence End Farm Colne And Broughton Road To Farther Fence End Thornton In Craven Skipton BD23 3JQ	Application for proposed new replacement general purpose agricultural building on site of former agricultural building (Prior Notification)	Prior Approval Not Required	05.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18790/FUL	Mrs Katherine Powell	Site Of The Old Barbers Shop 1 Main Road Hellifield BD23 4HX	Proposed 3 bed dwelling	Approve with Conditions	30.01.2018
2017/18795/TCA	Dr Sally Johnson	Oakleigh 2 Granville Close Skipton BD23 1QE	T1 Plum - re-shape and 15% reduction; T2 Lilac & T3 and T4 Apple - re-shape and 20% reduction; T5 Cherry - re-pollarding; T6 Conifer - remove	Approve Tree Works in Conservation Area	08.01.2018
2017/18799/FUL	John Shuttleworth & Son	Heber House Robins Barn To Anchor Bridge Gargrave Skipton BD23 3NA	To erect a steel portal frame building to extend an existing grass silage store for the purposes of housing grass silage produced on the farm.	Approve with Conditions	29.01.2018
2017/18824/LBC	Mr Jeremy Simms	Shady Grove Farm Skipton Road Cononley Keighley BD20 8NH	Replace existing front windows and doors from single glazed timber painted to double glazed timber painted and change the style of the window to reflect the original appearance of the house.	Approve with Conditions	30.01.2018
2017/18810/CND	Skipton Properties Ltd	Land On The East Side Of Green Lane Glusburn BD20 8RT	Application to discharge condition no. 14 (revised details) of original planning approval 32/2015/15390 granted 25/11/2015	DOC satisfactory	30.01.2018
2017/18812/TPO	Mrs Walton	Queens Rock House Bankwell Road Giggleswick Settle BD24 0AP	T1 - Oak - Reduce height of tree by 15%. Shorten outer limbs as per diagram attached.	Approve Tree Works in Conservation Area	30.01.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18813/LHSHLD	Mrs Rayner	Pinnacle View Baxter Wood Cross Hills Keighley BD20 8BB	Single storey rear extension measuring: measuring 3.635m beyond the rear wall; 3.350m in height from ground level; 2.550m in height to eaves from ground level (Prior Approval Notification).	PD HH PA Not Required	05.01.2018
2017/18816/TCA	Mr Howard Smith	Fairbanks House Bunkers Hill Skipton BD23 1HU	To remove one Norway spruce	Approve Tree Works in Conservation Area	08.01.2018
2017/18820/TCA	Mr Gordon Mounsey	Woodlands Lodge Woodlands Drive Skipton BD23 1QU	T1 - Silver Birch - Crown reduce by 10% and re-shape	Approve Tree Works in Conservation Area	09.01.2018
2017/18825/CND	Mr & Mrs B Coultherd	Site Adjacent To Bankwell Road Giggleswick Settle BD24 0AP	Application to discharge condition no. 12 (details of replacement tree planting) of original planning permission 31/2016/17348 dated 20 December 2016	DOC satisfactory	11.01.2018
2017/18849/CND	Ms Allison Wiffen	Higherland House West Street Gargrave Skipton BD23 3RJ	Application to discharge condition no's 3 (external doors/windows) and 4 (windows) of original planning permission referenced 30/2016/16566 and listed building consent referenced 30/2016/16567 granted 04 April 2016	DOC satisfactory	08.01.2018
2017/18847/CND	Mr & Mrs R Bell	7 Lidget Road Low Bradley Keighley BD20 9DS	Application to discharge condition no 3 of original planning consent reference 2017/18181/HH	DOC satisfactory	19.01.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18855/NMA	Mr And Mrs Paul Kelly	Orchard Cottage 2 Terns Side Giggleswick Settle BD24 0BS	Non material amendment to original planning consent reference 31/2015/15799 to change pitch of and remove PV panels from car port roof	Approve with Conditions	18.01.2018
2017/18856/NMA	Mr Alex McIntosh	Hawlands 6 Kirk Lane Eastby Skipton BD23 6SH	Non-material amendment to original planning application referenced 26/2017/17783 to change the bed 4 window to become larger to become a means of escape window, outside store no longer to be located under this window and to change the window to bed/games to become sliding glazed door.	Non-material amendment approved	19.01.2018
2017/18857/CND	Mr Alex McIntosh	Hawlands 6 Kirk Lane Eastby Skipton BD23 6SH	Application to discharge condition no. 5 (external wall) of original planning application referenced 26/2017/17783 granted 09/05/2017	DOC satisfactory	01.02.2018
2017/18877/TCA	Mr Mark Webb	3 The Bailey Skipton BD23 1AP	T1 Laburnum - Fell	Approve Tree Works in Conservation Area	30.01.2018
2017/18867/TPO	Skipton Town Council	Wilderness Otley Road Skipton BD23 1HA	T1 Hawthorn - fell.	Approved Tree Work under TPO	31.01.2018
2017/18872/TCA	Mrs Judith Haworth	4 Church Croft Gargrave Skipton BD23 3NZ	Reduction in height to 5 trees (3 prunus & 2 mountain ash)	Approve Tree Works in Conservation Area	30.01.2018

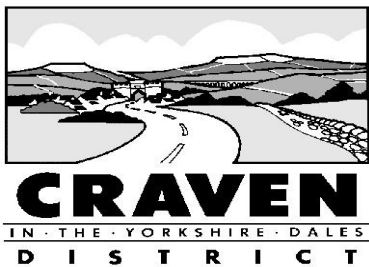
Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18882/TCA	All Saints P.C.C	All Saints Church Yard Burton In Lonsdale Carnforth LA6 3JU	Remove 5 no. trees (Irish yew)	Approve Tree Works in Conservation Area	30.01.2018
2018/18919/CND	Ms Rachel Knight	6 Swadford Street Skipton BD23 1RD	Application to discharge condition 2 of original planning permission 2017/18718/OTHERS	DOC satisfactory	22.01.2018

## **Planning Committee Report of Monthly New Complaints Registered** **January 2018**

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02789/2018	Untidy road around the development site and conditions no. 3 and 4 of planning permission ref: 66/2016/17316 have potentially not been discharged.	Land Adjacent To 13 Harper Grove Sutton-in-craven Keighley BD20 7JN	Sutton-in-Craven
ENF/02788/2018	A large area of land has been dug up and a track created running towards Sourber Laithe. Does it cover The Pennine Way?	Land On The Route Of Pennine Way Between Crossgate Farm & Newton Grange	Gargrave And Malhamdale
ENF/02790/2018	Rain water from the application site of 22/2012/12631 is running down the side of Royd House and discharges onto Royd Street, depositing mud, silt and gravel.	Old Village Hall Park Road Cowling Keighley BD22 0BP	Cowling
ENF/02791/2018	Large motor home/ caravan parked in lay by	Thornton Road West Marton Skipton BD23 3UD	West Craven
ENF/02792/2018	(1) Single storey extension not built in accordance with 2017/18175/HH? (2) Shed in front garden	4 Holmroyd Avenue Holme Lane Glusburn Keighley BD20 7LH	Glusburn
ENF/02795/2018	Static caravan on land	Car Park Cowling Pinnacle	Sutton-in-Craven

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02793/2018	General Improvements including replacement of 4 No. windows	6 Cragdale Gardens Victoria Street Settle BD24 9RW	Settle And Ribble Banks
ENF/02794/2018	Erection of large temporary building	Hallen Hill Farm Piper Lane Cowling Keighley BD22 0NS	Cowling
ENF/02796/2018	Made access from upstairs of gin bar to upstairs of adjoining property, to create kitchen	VSQ Gin Bar 1 Victoria Square Skipton BD23 1JF	Skipton North
ENF/02797/2018	Installation of large air con system which protruded into a parking space	Shared Car Park Tweed Street High Bentham LA2 7LZ	Bentham
ENF/02798/2018	Alleged use outside of approved hours	Coniston Hall Lodge Hall Field To Robins Barn Coniston Cold Skipton BD23 4EA	Gargrave And Malhamdale
ENF/00100/2007			
ENF/02800/2018	Storage of old vehicles and machinery and untidy land	New Laithe Farm Station Road Cross Hills Keighley BD20 7DT	Glusburn
ENF/02801/2018	Is garage being built in accordance with 62/2016/17485?	6 Railway Cottages Station Road Settle BD24 9BJ	Settle And Ribble Banks
ENF/02802/2018	White UPVC door on listed building	10 Craven Terrace Canal Yard Skipton BD23 1JQ	Skipton North

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02803/2018	White UPVC window	11 Craven Terrace Canal Yard Skipton BD23 1JQ	Skipton North
ENF/02804/2018	Camper van being lived in opposite 26 Princes Drive	26 Princes Drive Skipton BD23 1HL	Skipton East
ENF/02806/2018	Rear extension - concerned extension will be put on her boundary wall	6 Church Street Skipton BD23 2AR	Skipton West
ENF/02807/2018	Agricultural building not built in accordance with 36/2016/16958 (Would appear that the building is twice as long as originally stated)	West Thornber West Thornber Halton West Skipton BD23 4RS	Settle And Ribble Banks
ENF/02808/2018	Construction of car parking area and road to facilitate planning application reference 2017/18633/FUL.	Carr Head Hall Carr Head Lane Cowling Keighley BD22 0LD	Cowling
ENF/02809/2018	Potential change of use to occasional hotel	Broughton Hall Broughton Lodge Broughton Skipton	West Craven



**Planning Enforcement**  
 Craven District Council  
 1 Belle Vue Square  
 Broughton Road  
 SKIPTON  
 North Yorkshire  
 BD23 1FJ  
 Telephone: 01756 706254

## **Planning Committee Report of Monthly Cases Closed** **January 2018**

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
1769/2014	14th April 2014	29th January 2018	Enforcement Notice complied with	Unauthorised removal of trees in a Conservation Area.	Youth Hostel The Square Ingleton Carnforth North Yorkshire LA6 3EG	Ingleton And Clapham
2197/2015	11th August 2015	30th January 2018	Other Reason	Is property's use in accordance with 42/2000/373 (EMP9 Use)	Tenley Brow Hellifield Skipton North Yorkshire BD23 4JN	Hellifield And Long Preston
2555/2017	16th January 2017	18th January 2018	No Breach	Large Garden Room in Garden - Possibly Requires Planning Permission	33 Burnside Crescent Skipton BD23 2BT	Skipton West
2593/2017	7th March 2017	30th January 2018	Breach Resolved	Erection of large satellite dish on front elevation of listed building.	3 Devonshire Mews Newmarket Street Skipton BD23 2HR	Skipton North

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2623/2017	28th March 2017	17th January 2018	No Breach	Unauthorised development on decking/balcony	3 Bay Horse Court Skipton BD23 1JS	Skipton North
2644/2017	2nd April 2017	30th January 2018	Breach Resolved	Building in breach of 22/2015/15996 & 22/2012/12682	Park Farm Cottage Park Lane Cowling Keighley BD22 0NH	Cowling
2652/2017	15th May 2017	17th January 2018	Breach Resolved	Extension is too high and has steps leading up to a raised platform.	6 Moorland Avenue Back Ermysted Skipton North Yorkshire BD23 2EZ	Skipton North
ENF/02691/2017	17th July 2017	16th January 2018	Breach Resolved	Sign on gable too large?	42 Main Street Cross Hills Keighley BD20 8TQ	Glusburn
ENF/02693/2017	24th July 2017	24th January 2018	No Breach	1) Demolition of green houses and polytunnels has taken place with the land being converted back to a field. 2) Illegal tipping of subsoil and top soil engineering operations has taken place without planning. - Previous investigation 100/07.	Ingleborough Nurseries Four Ends Lane To Bentham Road High Bentham Lancaster LA2 7EX	Bentham

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02702/2017	25th July 2017	24th January 2018	Breach Resolved	New introductions to the roof of a listed building without consent.	Alexander's 4 - 6 High Street Skipton BD23 1JZ	Skipton North
ENF/02745/2017	18th August 2017	16th January 2018	No Breach	Unauthorised window in gable end	9 High Castle Rectory Lane Skipton BD23 1FP	Skipton East
ENF/02732/2017	21st August 2017	18th January 2018	Case Closed	Hoardings x 3	Adjacent To The Trawlerman Skipton Road Cross Hills BD20 7BQ	Glusburn
ENF/02736/2017	7th September 2017	24th January 2018	Breach Resolved	Abandoned vehicle	10 Ash Grove Sutton-in-craven Keighley BD20 7QJ	Sutton-in-Craven
ENF/02761/2017	9th November 2017	16th January 2018	Breach Resolved	Extension not built in accordance with approved plans 2017/18264/HH - Additional window and door moved	63 Shortbank Road Skipton BD23 2LQ	Skipton East
ENF/02776/2017	30th November 2017	16th January 2018	No Breach of Planning	Erection of 6ft fence along boundary with No. 44 (front garden)	42 Station Road Hellifield Skipton BD23 4HP	Hellifield And Long Preston

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ENF/02780/2017	13th December 2017	24th January 2018	Breach Resolved	Unauthorised banner for Body Prime Fitness?	45 Otley Street Skipton BD23 1EL	Skipton North
ENF/02782/2017	20th December 2017	30th January 2018	Breach Resolved	Untidy Garden Following Construction Of Extension Under 66/2017/17970	22 Hazel Grove Road Sutton-in-craven Keighley BD20 7QT	Sutton-in-Craven
ENF/02789/2018	3rd January 2018	30th January 2018	No Breach	Untidy road around the development site and conditions no. 3 and 4 of planning permission ref: 66/2016/17316 have potentially not been discharged.	Land Adjacent To 13 Harper Grove Sutton-in-craven Keighley BD20 7JN	Sutton-in-Craven
ENF/02791/2018	8th January 2018	23rd January 2018	No Breach	Large motor home/ caravan parked in lay by	Thornton Road West Marton Skipton BD23 3UD	West Craven
ENF/02795/2018	15th January 2018	30th January 2018	No Breach	Static caravan on land	Car Park Cowling Pinnacle	Sutton-in-Craven
ENF/02793/2018	16th January 2018	24th January 2018	No Breach	General Improvements including replacement of 4 No. windows	6 Cragdale Gardens Victoria Street Settle BD24 9RW	Settle And Ribble Banks