



CRAVEN DISTRICT COUNCIL

PLANNING COMMITTEE – SITE VISIT

8th May 2018

AGENDA

Please note that the Committee will visit the following site on Tuesday, 8th May 2018. Members are asked to meet at the following **site at 11.45am**, or alternatively at the Belle Vue Square Offices car park **no later than 11.35am**.

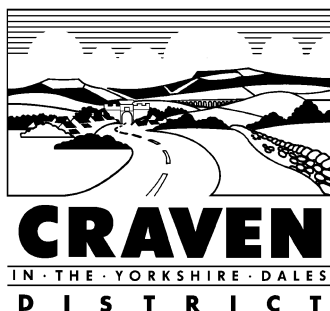
2018/18873/FUL 3 no. new dwellings on land associated with an existing property (Holly Tree House). Dwellings proposed are 1no. five bedroom house with an attached 3 car garage and 2no. three bedroom houses with attached single car garages (arranged as a semi-detached unit). Application proposal includes new associated driveways, parking, boundary fences/walls and associated gardens, land at Holly Tree House, Skipton Road, Low Bradley (Aire Valley with Lothersdale Ward)

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

Agenda Contact Officer:
Chris Waterhouse, Committee Officer
Tel. 01756 706235
Skipton, 27th April 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 Tuesday, 8th May, 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** – 9th April, 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@cravencd.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@cravenc.gov.uk
27th April 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

9th April 2018

Present – The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Lis, Madeley (substitute for Rose), Morrell, Place, Shuttleworth, Thompson and Welch (substitute for Brockbank).

Officers – Legal Services Manager, Planning Manager, Planning Officer (x2), Planning Assistant and Committee Officer.

Ward Representatives : Councillor Brown (Applications 2017/18596/FUL and 2018/18873/FUL).

Apologies for absence were received from Councillors Brockbank, Harbron, Heseltine, Hull, Ireton (substitute for Harbron) and Rose.

Start: 1.40pm

Finish: 5.25pm

Councillors Lis and Madeley left the meeting at 4.27pm

Councillor Morrell left the meeting at 5.08pm

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

The minutes of the Committee's meeting held on 12th March 2018 were confirmed and signed by the Chairman.

Minutes for Report

PL.857

PUBLIC PARTICIPATION

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

Application 2017/18744/OUT : Mr R Jones (for Giggleswick Parish Council)

: Ms.K Peacock (objector / for objectors)

Application 2018/18873/FUL : Mr S Matthews (objector / for objectors)

: Mr R Arthur (for the applicant)

Application 2017/18725/FUL : Ms H Midgley (objector / for objectors)

: Ms.J Doidge (for the applicant)

Application 34/2012/13074, 34/2016/17145 and 34/2016/16854 : Mr G Rogers (for the applicant)

PL.858

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:-

2017/18183/FUL Construction of agricultural workers dwelling to serve Broom House Farm, land at Broom House Farm, Bleara Road, Earby - Approved with conditions.

2017/18174/VAR Retrospective application to vary condition 6 (occupation), meet the requirements of condition 7 (occupation), vary condition 10 (methodology statement for adaptation/alteration), vary condition 11 (domestic curtilage) and vary condition 12 (external materials) of planning permission 11/2012/12439, Low Barn, Keighley Road, Low Bradley - Approved with conditions.

2017/18268/FUL Installation of 4 no. wall mounted 775W LED floodlights and 26 no. 775W LED floodlights mounted to masts for tennis courts, all-weather pitch and multi-use games area, South Craven School, Holme Lane, Cross Hills - Approved with conditions.

2017/18340/FUL Residential development of 73 dwellings including associated infrastructure Land at Corner Field to the north of A6131/Harrogate Road, Skipton - Approved with conditions.

2017/18355/FUL Demolition of existing dwellinghouse and construction of four new dwellings, Deep Spring, Grange Road, Farnhill - Approved with conditions.

2017/18483/HH Renovation of existing farmhouse, including upgrading electrical and plumbing systems. Partial conversion of listed barn to form new dining area and new access to rear garden. Addition of conservation metal roof lights to rear and offshot roofs, Calf Cop Farm, Calf Cop, Low Bentham - Approved with conditions.

2017/18484/LBC Renovation of existing farmhouse, including upgrading electrical and plumbing systems. Partial conversion of listed barn to form new dining area on new access to rear garden. Addition of conservation metal roof lights to rear and offshot roofs, Calf Cop Farm, Calf Cop, Low Bentham - Approved with conditions.

2017/18548/CPE Application for a lawful development certificate (existing) for the implementation of permissions to erect two dwellings on land adjacent Draughton House relating to applications referenced: 24/2015/15636 and 24/2013/14195, Draughton House, Low Lane, Draughton - Certificate of lawful development approved.

2017/18759/FUL Demolition and replacement of existing cricket pavilion and creation of disabled drop-off point, Sandylands Sports Centre, Carleton New Road, Skipton - Approved with conditions.

2017/18777/HH First-floor side extension above existing garage and single-storey rear extension 13 Neville Road, Gargrave - Approved with conditions.

2017/18814/FUL Amendments to previous application 11/2017/17927 to move property away from existing garage 0.7m and addition of enlarged bedroom to the rear, Grasmere House, College Road, Bradley - Approved with conditions.

2017/18844/FUL Construction of detached three bedroom dwelling, Parkfield Nurseries, Chapel Hill, Skipton - Approved with conditions.

2017/18846/HH Removal of single storey extension and construction of two storey extension, insertion of side facing window - all to eastern elevation, 66 Starkey Lane, Kildwick - Approved with conditions.

2017/18852/FUL Creation of window within the west facing wall of the building, Sandylands Sports Centre, Carleton New Road, Skipton - Approved with conditions.

2017/18863/HH Erection of a ground floor extension to the front, Park House, Park Lane, Cowling - Approved with conditions.

2017/18864/CPL Certificate of lawfulness (proposed) for rear dormer extension, 17 Pendle Street, Skipton - Certificate of lawful development approved.

2017/18869/FUL Conversion of attic to form self-contained apartment and replacement of first and second floor windows to the Swadford Street elevation, Post Office, 7 - 11 Swadford Street, Skipton - Approved with conditions.

2018/18871/HH Proposed 2 storey side extension, alterations to existing single storey rear extension and general layout alterations, 14 Longdale Avenue, Settle - Approved with conditions.

2018/18878/MMA Minor material amendment to original planning consent reference 2017/18394/HH to add window to gable end, Throstle Nest Cottage, Old Road, Thornton in Craven - Refused.

2018/18885/LBC Proposed replacement windows and internal alterations Liverpool House, Chapel Square, Settle - Approved with conditions.

2018/18892/NMA Non material amendment to original planning consent reference 08/2017/17904 to fill proposed courtyard window, retain proposed door to South elevation as a window, add additional rooflight over kitchen area, The Wenning, Bentham - Non-material amendment approved.

2018/18898/FUL Conversion of former water treatment works building to a residential dwelling, High Bentham Former Water Treatment Works, Mewith Lane, High Bentham - Approved with conditions.

2018/18899/HH Proposed porch to side elevation, 26 Main Street, Embsay - Approved with conditions.

2018/18900/HH Erection of a single storey side extension, 25 Tile Close, Skipton - Approved with conditions.

2018/18911/HH Concrete sectional lean to garage, 58 Roughaw Road, Skipton - Approved with conditions.

2018/18910/FUL Change of use of agricultural land to garden lawn, 18 Gooselands, Rathmell - Approved with conditions.

2018/18916/HH Proposed two storey side extension to create garage and first floor en-suite bedroom and proposed single storey rear lean-to extension to create ground floor WC, utility and dining/living room, 16 West Lane, Embsay - Approved with conditions.

2018/18920/HH Erection of barbeque hut, 5 Butterbergh, High Bentham - Approved with conditions.

2018/18929/TCA Crown lift 6 trees to provide highway and roof clearance (Trees A,B,C,E,G & H). Remove 2 Trees (Tree D & F). Partial Crown lifting of 1 Tree over the grass area (Tree I). Crown reduction of 1 Hawthorn by up to 30% and prune branches to balance and clear pathways, New Church Centre, Main Road, Kildwick - Approved tree works in conservation area.

2018/18939/AGRRES Change of use of agricultural building to 2 No dwelling houses with associated curtilage and installation of sewage treatment plant (prior notification), Hazelwood Barn, Westhouse, Ingleton – Prior notification refused; application required.

2018/18942/LBC Internal alterations, re-roofing and re-painting external walls, 1 Pendle View, Giggleswick - Approved with conditions.

2018/18944/LBC Part removal of boundary wall to provide additional parking and access to existing parking space, 1 Pendle View, Giggleswick - Approved with conditions.

2018/18947/TPO T1 and T2 Lime - Fell (TPO No 1 1967 Rockwood), 5 Rockwood Close, Skipton - Tree work under tree preservation order refused.

2018/18949/HH Construction of 2 storey extension, bedrooms over living room, Gruntland Hall Sandyforth Lane, Cowling - Approved with conditions.

2018/18960/HH Construction of attached garage, Winterley, Moorber Lane, Coniston Cold - Approved with conditions.

2018/18959/TPO Fell 1 no. Ash and manage woodland by selectively thinning up to 10% leaving continuous cover, Giggleswick School, Mill Hill Lane, Giggleswick - Approved tree work under tree preservation order.

2018/18964/HH Extension to existing kitchen, Firsbank, Mewith Lane, Low Bentham - Approved with conditions.

2018/18978/TCA Fell 1 no. Copper Beech and 2 no. Laburnum, Ingleborough Nursing Home, 1 High Street, Ingleton - Approved tree works in conservation area.

2018/18986/TPO Selectively fell 11 no. trees and crown lift trees along the eastern boundary to 3 metres as specified in the submitted arboricultural report, land to east of Green Lane, Glusburn - Approved tree work under tree preservation order.

2018/19002/TCA Remove T1 Prunus. Remove T2 Conifer. Remove T3 Conifer. Remove T4 Conifer, Westways, Low Lane, Draughton - Approved tree works in conservation area.

2018/18995/LHSHLD Proposed single storey rear extension measuring 4.8m beyond the rear wall; 3.25m in height from ground level; 2.7m in height to eaves from ground level (Prior Approval Notification), 20 Meadow Lane, Cononley – Permitted development; prior approval not required.

2018/19005/TCA T1 - middle tree - fell, T2 and T3 - outside trees - prune to half current height, 3 Crossley Place, Skipton - Approved tree works in conservation area.

2018/19019/TCA G1 - 4 x apple - reduce in height, re-balance crowns T1 - Dogwood - reduce in height and spread by 25% T2 - Sorbus - reduce in height and spread by 25%, Tatham Lodge, Low Street, Burton in Lonsdale - Approved tree works in conservation area.

2018/19020/TCA T1 - Yew, Reduction in height and spread by 25%. Lift canopy roadside, rebalance crown, Adelaide House, 22 Low Street, Burton in Lonsdale - Approved tree works in conservation area.

2018/19029/TPO T1 - Ash – Fell, Sunningdale House, Main Road, Hellifield - Approved tree work under tree preservation order.

2018/19037/TCA T1 - Sycamore - crown thin by 20%, T2 - Hornbeam - crown thin by 20%, The Old School House, 4 East Lane, Embsay - Approved tree works in conservation area.

2018/19055/PNAG Proposed agricultural building for the storage of feedstuffs, bedding, machinery, wintering animals, lambing stock and sick animals (Prior Notification), Thornbrook Barn, New Road to Bank Bottom, Thornton In Lonsdale – Prior notification refused; application required.

2018/19073/NMA Non material amendment to original planning consent reference 2017/18737/HH to change the width of extension and amendment to roof design, 39 High Street, Gargrave - Approved with conditions.

b. Applications

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

Permission Granted

2017/18785/FUL and 2017/18786/LBC Proposed internal and external alterations to form holiday cottage and repairs work to the Hall (resubmission of previously approved details of 73/2017/17980 and 73/2017/17981), Kildwick Grange Hall, Skipton Road, Kildwick

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 17th January 2018.
- Drawing No. 15/547/8 Rev B received 28th November 2017.
- Drawing No. 15/547/9 Rev B received 28th November 2017.
- Details contained with the Heritage Statement received 28th 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. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the extension shall be constructed in accordance with the materials detailed on the approved plans.

4. 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. In particular the Council has engaged in pre-application discussions.

(The Chairman and Councillor Lis stated that they had received lobbying for the above application)

Note : Separate votes were taken in determining the above applications.

2017/18744/OUT Outline application for a residential development of 4 dwellings - access, appearance, layout and scale applied for with all other matters reserved, land south of Station Road, Giggleswick – subject to condition 8 below being amended by the Planning Manager to make clear that the remediation strategy shall be submitted to and approved in writing prior to commencement of development, the strategy to be implemented, as appropriate, prior to commencement of the construction of the approved dwellings.

Conditions

Time Limit for Commencement

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with 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 approve

Approved Plans

2. This permission relates to the following plans: Drawing no. 2680 Rev A. 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 scale and 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 matter before the development is commenced; the landscaping of the site.

4. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

Detailed engineering drawings to a scale of not less than 1:250 and based upon an accurate survey showing:

- the proposed highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway, and verges
- visibility splays
- the proposed buildings and site layout, including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging.

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.

Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
- when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
- kerb and edging construction details
- typical drainage construction details.

Details of the method and means of surface water disposal.

Details of all proposed street lighting.

Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

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

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

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

- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

6. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Station Road Giggleswick from a point measured 2 down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

During Building Works

8. Should any unexpected significant contamination not identified in the submitted combined Phase 1 and 2 Report generated by PWA Geo-Environmental Ltd dated January 2018 be encountered during development, the local planning authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority.

The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales. The Remediation Strategy and Validation Report shall be prepared in accordance with current best practice.

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

10. 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:

- the introduction of additional planting within the site which forms part of the internal development layout and
- 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.

11. 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 development 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.

12. The development hereby approved shall be carried out in conformity with the details contained within the Scoping Study Flood Risk and Drainage Impact Assessment and retained thereafter.

Ongoing Conditions

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

14. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the areas shown on approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

15. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

16. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E 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 dwellings hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Informatives

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and

Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

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 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/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

A public sewer crosses this site and we may not permit building over it. We will require an access strip width of 7 metres, 3.5 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout at the applicant's expense may be necessary.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

The applicant can discuss any of the above with Developer Engineer, Josephine Wong, by email at wastewaterdeveloperservices@uuplc.co.uk.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

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

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping

service and we recommend the applicant contact our Property Searches Team at Property.Searches@uuplc.co.uk to obtain maps of the site.

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

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.
(SV) (*)

Note : On being put to the vote a motion to refuse the above application was lost. Not having attended the site visit Councillor Lis abstained from voting on both the motion to refuse, and the motion subsequently carried to approve.

(The Chairman stated that he had received lobbying for the above application and Councillors Baxandall, Lis and Welch indicated that they had received lobbying against.)

2017/18728/FUL Proposed construction of a detached dormer bungalow and detached double garage, Lyngarth, Keighley Road, Cowling.

Conditions

Time Limit for Commencement

1. The development hereby permitted must 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:

- 1083_01 Rev A Location Plan received by Craven District Council on the 23rd November 2017.
- 1083_03 Ground Floor Plan received by Craven District Council on the 10th November 2017.
- 1083_04 First Floor Plan received by Craven District Council on the 10th November 2017.
- 1083_05 Roof Plan received by Craven District Council on the 10th November 2017.

- 1083_06 Section Plan received by Craven District Council on the 10th November 2017.
- 1083_07 Elevation Plan received by Craven District Council on the 10th November 2017.
- 1083_08 Rev B Proposed Site Plan received by Craven District Council on the 4th March 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in accordance with the approved plans or where alternative details have been subsequently approved following an application for a non-material amendment.

Before Development Commences

3. No development shall take place until a scheme for tree protection measures (both above and below ground) 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 hardstandings 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.

During Building Works

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

Ongoing Conditions

6. Notwithstanding the provision of The Town and Country Planning (General Permitted Development) (England) Order 2015 for the time being in force, the areas shown on the approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Informatives

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

During construction there is a potential for noise nuisance to nearby residential properties. 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.

The applicant is advised it is the responsibility of the developer to 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. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided

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

2017/18596/FUL Construction of detached dwelling with associated double garage and turning area, land off Rook Street, Lothersdale.

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:

- P1822/001a received by Craven District Council on the 17th November 2017
- P1822/002a received by Craven District Council on the 17th November 2017
- P1822/003a received by Craven District Council on the 29th January 2018
- P1822/004a received by Craven District Council on the 17th November 2017
- P1822/005a received by Craven District Council on the 17th November 2017
- P1822/007 received by Craven District Council on the 18th 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 or where alternative details have been subsequently approved following an application for a non-material amendment.

Before Development Commences

3. Prior to the commencement of development, full details of a scheme for the provision of a water supply for the dwelling, including an implementation plan, has been submitted to and

approved in writing by the Local Planning Authority and thereafter the scheme shall be implemented in accordance with the approved details.

4. No development shall commence until a Private Water Supply Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The details shall include details relating to:-

- The establishment of baseline data to adequately characterise the quality and quantity of water provided by any private water supply that may be affected by the development.
- The mitigation measures for the protection of private water supplies where a risk is identified.
- The provision of alternative suitable and sufficient water supplies on a temporary and/or permanent basis in the event of any interruption or adverse change caused by the development in the quantity or quality of water previously enjoyed.

The Private Water Supply Protection Plan, shall thereafter be implemented and maintained at the developers/operators own expense, unless otherwise first agreed in writing with the Local Planning Authority.

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

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 20.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

6. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays are provided as shown on drawing 10061-003B. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

During Building Works

7. 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 development 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.

8. Notwithstanding any details shown on the approved plan, the site's internal and external boundaries shall be enclosed in accordance with a detailed scheme and programme of implementation which shall first have been submitted to and approved by the Local Planning Authority. The programme shall ensure that the approved boundary treatment for the dwelling is completed prior to the occupation of that dwelling, and the approved boundary treatments for the whole site.

Ongoing Conditions

9. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E 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 dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

10. All new windows and doors hereby approved shall be of timber construction, set in a minimum external reveal of 100mm and painted or stained throughout to the same colour specification, the precise colour of which shall have first been agreed in writing with the Local Planning Authority. Once installed the windows and doors shall be retained.

11. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

12. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the areas shown on approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the garage shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Informatives

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

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 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 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).

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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. (*)

2017/18842/FUL Extension of existing garage to form new five bedroomed detached dwelling, Bridge End House, Glusburn Bridge, Colne Road, Glusburn – subject to the conditions listed below, and subject also to the Planning Manager attaching an additional appropriately worded condition requiring the provision of chimney stacks.

Conditions

Time Limit for Commencement

1. The development hereby permitted must 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:

- 01 Rev A Location Plan received by Craven District Council on the 20th December 2017.
- 09 Rev A Plans and Sections received by Craven District Council on the 22nd March 2018.
- 10 Rev A Proposed Elevations received by Craven District Council on the 22nd March 2018
- 11 Rev A Proposed Site Plan received by Craven District Council on the 22nd March 2018
- 12 3D Visuals received by Craven District Council on the 22nd March 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings or where alternative details have been subsequently approved following an application for a non-material amendment.

During Building Works

3. Notwithstanding details shown on the approved plans, no above ground works shall take place until details of the 1.8 timber fencing to be constructed adjacent to the stone boundary wall of Bridge End House have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and retained in accordance with the approved details.

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 development 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 plan, the site's internal and external boundaries shall be enclosed in accordance with a detailed scheme and programme of implementation which shall first have been submitted to and approved by the Local Planning Authority. The programme shall ensure that the approved boundary treatments for the dwelling are completed prior to the occupation of that dwelling.

6. Notwithstanding any details shown on the approved plan, details of the soft landscaping of the site including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

Before the Development is Occupied

7. The dwelling shall not be occupied until the 1.8m timber fencing to be constructed along the boundary with Bridge End House has been constructed in accordance with approved details.

Ongoing Conditions

8. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

9. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the areas shown on the approved site plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the garage shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

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

Informatives

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision

at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

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 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/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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

2017/18725/FUL Construction of detached dwelling with associated amenity space and off street parking, land adjacent to 42 East Lane, East Lane, Emsay.

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:

- Drawing No. AD 100 received by Craven District Council on 9th November 2017.
- Drawing No. AD 103 Rev A received by Craven District Council on 20th March 2018.
- Drawing No. AD 104 Rev A received by Craven District Council on 20th March 2018.
- Drawing No. AD 106 Rev A received by Craven District Council on 2nd February 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings except where conditions indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Before Development Commences

3. Details of the finished floor levels, external ground levels and the height of the proposed dwelling in relation to 42 East Lane (both to the top of the roof, and to the balcony level) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any development on site. The top of the roof shall be no higher than the ridge of 42 East Lane, and the wall surrounding the balcony level (that forms the roof to the first floor) shall be no higher than the eaves of 42 East Lane. The development shall thereafter be implemented in accordance with the duly approved details.

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

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn onto the existing or proposed public highway.

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

During Building Works

5. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, prior to the first use of any external materials on the dwellinghouse hereby permitted samples or full details of all materials to be used on the external surfaces of the dwelling (the external timber cladding, walling, rendering and roofing) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of materials. The development shall thereafter be implemented in accordance with the duly approved details

Before the Development is Occupied

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the first dwelling is occupied, and shall be retained as such thereafter.

7. The 2.1m high privacy screen to the north side of the balcony and the 2.35m privacy screen to the south west side of the balcony on the dwelling hereby approved shall be fitted with obscured glass which achieves a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 is the greatest level of obscurity) and shall be installed in the positions shown on drawing number 'AD 106 Rev A' before the balcony is first brought into use. The duly installed privacy screen shall be retained as such thereafter.

8. 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), all windows on north west elevation (serving the stairwell and WC) shall be obscurely glazed to a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 is the greatest level of obscurity) and shall be non-opening before the dwelling hereby approved is first occupied and shall be retained as such thereafter.

Ongoing Conditions

9. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E and G 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 dwellings hereby approved shall not be altered or extended, and no buildings or structures shall be erected within their curtilage.

10. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing AD 103 Rev A for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Discharge of Conditions : The developer should note that Condition Nos 3 and 4 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

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

Note : On being put to the vote a motion to refuse the above application was lost. Not having attended the site visit Councillor Lis abstained from voting on both the motion to refuse, and the motion subsequently carried to approve.

(The Chairman and Councillors Lis and Thompson indicated that they had received lobbying for the above application and Councillor Shuttleworth indicated that he had received lobbying both for and against.)

34/2012/13074 Extension of ice cream parlour, change of use to indoor play space, creation of covered play space with extension of site to accommodate tree screening, and retrospective application for extension to car park, Calm Slate Farm, Holme Lane, Halton East – subject to the conditions listed below, and subject also to the Planning Manager attaching an additional appropriately worded condition requiring the submission of a parking management plan within three months of the consent being issued.

Conditions

1. The approved plans comprise the Amended Site Plan 598/02 received by the Council on 22nd April 2013, Drawing Numbers 598/07A, 598/08/B, 598/10/B 598/030A received by the Local Planning Authority on the 6th September 2016. The development shall be retained in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
2. Within three months from the date of approval, a scheme of planting for the 'area of proposed tree planting' indicated on approved drawing 598/030/A with detailed specification should be submitted for approval prior to implementation.
3. On approval of the scheme required by condition (2), the planting shall be implemented during the first planting season following completion of the development hereby permitted and shall thereafter be retained and maintained as such. Any trees or shrubs planted in accordance with this condition shall, in the event of their death within 5 years from their date of planting, be

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

4. Within three months from the date of this approval the details of the following off site required highway improvement works shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

(i) An independent Stage 2 Road Safety Audit for the agreed off site highway works shall be carried out in accordance with HD19/03 – Road Safety Auditor or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works.

(ii) The developers programme for the completion of the proposed works. The required highway improvements shall include:-

Existing sign and post (A59) at the junction of Holme Lane/Newbridge Lane shall be relocated at site egress. A new brown sign shall be erected in the three lane section of A59 westbound directing traffic to the western (quarry) junction for site access. Sign design shall be approved by the Highway Authority. The applicant's web site shall be update to direct A59_westbound traffic to access site via the western (quarry) junction.

5. Within two months from the date of approval of sign design as specified at 4(iii), the signage (Existing sign and post (A59) at the junction of Holme Lane/Newbridge Lane shall be relocated at site egress. A new brown sign shall be erected in the three lane section of A59 westbound directing traffic to the western (quarry) junction for site access) shall be erected in accordance with the approved details.

6. Within two months from the date of approval by the Local Planning Authority of wording to update the applicant's website, the website shall be updated in accordance with the approved wording.

7. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing No. 598/030/A received by the Council on 6th September 2016 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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

Informative: 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.

9. The approved colour of the timber shiplap effect boarding is 'Light Grey', manufactured by The Bedec Paint Company as specified by Andrew Durham on 17/10/16. No other colour shall be used without the prior approval of the Local Planning Authority.

10. The 110 no. individual car parking spaces specified on the approved Drawing No 598/030/A, received by the Council on 6th September 2016, shall be set out and marked within the site outlined in red on the amended site plans, received by the Council on 22nd April 2013 within three months from the date of this approval. Note: This condition replaces the new condition 7 recommended at Planning Committee on 03/06/13.

Informative: The passing places already constructed within Holme Lane and Newbridge Lane, in accordance with the plan that was provided by North Yorkshire Highways with their consultation response dated 02/05/13, will remain in situ as a licence to work in the public highway would be needed for their removal and this would not be granted for such works.

12. The ice cream parlour premises and associated children's play facilities shall not be open for business or used by any member of the public after 18.00 on any evening, or before 09.00 on any day. [This condition replaces the new condition 9 as recommended by Planning Committee on 03/06/13].

Discharge of Condition(s)

1. The developer should note that Condition Nos 3 and 4 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

2. With regard to Condition Nos 3 and 4 above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.

Statement of Positive Engagement: -

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

- engaged in pre-application discussions
- requested amended design approaches / information to address the planning issues which have arisen in relation to dealing with this application.
- accepted additional information / changes to the scheme post validation
- advised the applicant / agent with respect to the reasons why the application cannot be supported in its current form and provided advice with respect to a resubmission. (*)

34/2016/17145 Retrospective application for change of use from agricultural to play barn in connection with Billy Bob's Ice Cream Parlour, Calm Slate Farm, Holme Lane, Halton East.

Conditions

1. The approved plans comprise drawing number PLAY/PARK 1, PLAY/PARK 2 and PLAY/PARK 10 received by the Local Planning Authority on the 14th July 2016. The development shall be retained in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

2. The approved colour of the timber shiplap effect boarding is 'Light Grey', manufactured by The Bedec Paint Company as specified by Andrew Durham on 17/10/16. No other colour shall be used without the prior approval of the Local Planning Authority.

3. The playbarn facilities shall not be open for business or used by any member of the public after 18.00 on any evening, or before 09.00 on any day.

4. The approved diverted Public Right of Way (NYCC application reference CRA/2016/01/DO) shall be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990.

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

34/2016/16854 Retrospective application for replacement office block, Calm Slate Farm, Holme Lane, Halton East.

Conditions

1. The approved plans comprise drawings labelled OFFICE/1 and OFFICE/2 received by the Local Planning Authority on the 13th April 2016. The development shall be retained in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.
2. The approved colour of the timber shiplap effect boarding is 'Light Grey' manufactured by the Bedec Paint Company as specified by Andrew Durham on 17/10/16. No other colour should be used without the prior approval in writing of the local planning authority.

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

Consideration Deferred

2018/18873/FUL 3 no. new dwellings on land associated with an existing property (Holly Tree House). Dwellings proposed are 1no. five bedroom house with an attached 3 car garage and 2no. three bedroom houses with attached single car garages (arranged as a semi-detached unit). Application proposal includes new associated driveways, parking, boundary fences/walls and associated gardens, land at Holly Tree House, Skipton Road, Low Bradley – deferred pending a site visit and to enable the Planning Manager to seek such additional information he considers necessary in relation to elevations / longitudinal sections to enable the application to be determined. (*)

Note : Members requested that for the site visit the position of the proposed dwellings be pegged out and that height poles indicating the height of those dwellings be also put in place.

(The Chairman and Councillors Baxandall, Lis and Thompson indicated that they had received lobbying against the above application.)

Application Withdrawn from the Agenda

2017/18672/FUL Change of use of part of premises to taxi booking office by a computer despatch system, no access to public and erection of external antenna to the rear of the property for backup, Providence House, 21A Newmarket Street, Skipton – to enable the applicant to serve formal notice on the owner as required by Article 13 of the Development Management Procedure Order 2015.

(*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.



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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 8th May 2018

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REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18922/MMA

Proposal: Application to vary condition 2 of original planning consent reference 18/2016/17399 to alter access

Site Address: Station Road Clapham LA2 8ER

On behalf of: Mr & Mrs P Redfearn

Date Registered: 16th January 2018

Expiry Date: 13th March 2018

Case Officer: Mrs Gemma Kennedy

This application has been referred to Planning Committee as it is a minor material amendment to an application previously considered by Planning Committee.

1. Site Description

1.1 The application site is a parcel of agricultural land within the northern corner of a triangular field located to the south of Clapham. The site lies between Station Road and the A65. Planning permission has been granted on the site for the construction of three dwellings; a pair of semi-detached properties and a detached property.

2. Proposal

2.1 The plans as approved proposed a driveway way to two of the properties, but not to the northern most semi-detached property, plot 3. The current application seeks a minor-material amendment to the approved plans to provide a driveway to the front of the northern-most dwelling in a 'T' shape, which would incorporate an on-site turning facility.

2.2 The site location plan submitted with the current application showed an extended site area than on the plans originally approved. As this is an application for a minor-material amendment to an approved scheme, the amendments must be made within the original red line. Following correspondence with the applicant's agent, and amended site location plan correcting the red line to reflect the original application, has been received.

3. Planning History

3.1 18/2016/16738 – The construction of three residential dwellings (two semi-detached and one detached) with associated access and landscaping. Refused 03/05/2016

3.2 18/2016/17399 – The construction of 3 residential dwellings (2 semi-detached and 1 detached) with associated access and landscaping. (Resubmission of refused permission 18/2016/16738). Approved 20/12/2016

4. Planning Policy Background

4.1 The National Planning Policy Framework

4.2 Saved Policies ENV1, ENV2 and T2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.

4.3 Draft Policies ENV1, ENV3 and INF4 of the Submission Draft Craven Local Plan.

5. Parish/Town Council Comments

5.1 Clapham cum Newby Parish Council: "The Parish Council supports the application." Received 24/01/2018

6. Consultations

6.1 NYCC Highways Authority: *"In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: The design standard for the site is MfS and the required visibility splay is 45 metres by 2 metres as shown by radar speed gun readings. The available visibility is 45 metres by 2 metres. Consequently the Local Highway Authority recommends that the following conditions are attached to any grant of permission: HC-07 Private Access/Verge Crossings: Construction Requirements, HC-09 Closing of existing access, HC-10 Visibility splays, HC-15 Parking spaces to remain available for vehicle parking."* Received 24/01/2018.

7. Representations

7.1 None received

8. Summary of Principal Planning Issues

8.1 The impact of the proposed driveway on the character and appearance of the area, highway safety, and neighbouring amenity.

9. Analysis

9.1 **Policy background and principle of development;**

9.2 Paragraph 56 of the NPPF details the great importance the Government attaches to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

9.3 Whilst the site is located in open countryside, the proposal is for development within the residential curtilage of an approved dwelling, and so is not considered to constitute development in the open countryside that would fall to be assessed under Saved Local Plan Policy ENV1. Saved Policy ENV2, which relates to the requirements for development in the open countryside is however considered to be applicable as it refers to visual matters (amongst other things) rather than the principle of development.

9.4 In terms of the status of the Submission Draft Craven Local Plan, this document was submitted to the Secretary of State on 27th March 2018. The submission of the Local Plan is at an advanced stage, and therefore weight can be given to it. However, the NPPF at paragraph 216 sets out that the weight that should be given to draft policies will depend upon the *"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 the Framework, the greater the weight that may be given."* Draft Policy ENV1 'Countryside and Landscape' and Draft Policy ENV3 'Good Design' are both considered to be applicable to this planning application, and there are unresolved objections to both policies. An assessment of the significance of these objections has not yet been made, and as such it is considered beneficial to adopt a precautionary approach and consider that less weight should be given to these draft policies than to those policies that have no outstanding objections. In conclusion, whilst some weight can be given to Draft Policies ENV1 and ENV3 of the Submission Draft Craven Local Plan, the greater weight should remain with the Saved Local Plan Policies and the NPPF.

9.5 **Visual impact;**

9.6 Section 7 of the NPPF sets out that the Government attaches great importance to the design of the built environment. Saved Local Plan Policy ENV2 requires that development in the open countryside 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. Paragraphs (a) to (d) of Draft Policy ENV3 of the Submission Draft Craven Local Plan sets out the requirements for development to respond to the local landscape and environment, respect the form of surrounding buildings, and enhance local distinctiveness.

- 9.7 The boundary of the application site (plot 3) has a small section of dry stone wall, with the majority of the frontage currently being open as an existing gateway into the agricultural field. The application proposes infill this opening with a continuation of the existing dry stone wall, and to remove a section of existing walling to form the new vehicular access. The current application amends the previously approved plans (which also proposed the walling of the existing field entrance) by forming a new 3 metre wide opening within the existing dry stone wall. This opening would be consistent with the two openings that would be formed to provide driveways to plots 1 and 2, approved under the previous extant planning application. In consideration of Saved Local Plan Policy ENV2, whilst a section of drystone walling will be lost, this will not be out of character with the existing development, and the remaining sections of drystone wall will still be retained. In terms of the materials used in the construction of the driveway, no details have been provided with the application. However, as with the original application (which required details of hard landscaping to be provided by a planning condition), such details can be sought and approved by the Local Planning Authority prior to their use.
- 9.8 In conclusion, subject to the use of appropriate details on the driveway (which would be dealt with by a planning condition) it is considered that the proposed development would comply with the relevant planning policies with regards to visual impact.
- 9.9 **Highway safety;**
- 9.10 Saved Local Plan Policy ENV2 sets out that development in the open countryside will only be permitted where rural access roads can accommodate the traffic likely to be generated by the proposal. Saved Local Plan Policy T2 requires that development proposals do not lead to the formation of a new access onto a primary, district or local distributor road unless the access is such that it is acceptable to the Council and its design achieves a high standard of safety. Draft Policy INF4 of the Submission Draft Craven Local Plan encourages the provision of safe, secure and convenient parking of an appropriate quantity.
- 9.11 The dwelling to be constructed on plot 3 has been approved with no off-street parking provision which would have necessitated occupiers and visitors to park on the public highway. Located on the edge of the settlement of Clapham there would be sufficient on-street parking in this location to serve the application property. However, the proposal to create off-street parking would reduce the likelihood of parking on the highway, and generally improve highway safety and amenity in the vicinity of the site. NYCC Highways Authority has been consulted on the application and they have raised no objections on highway safety grounds. NYCC Highways Authority are satisfied that visibility for vehicles leaving the driveway would meet with highway standards, and recommend the imposition of planning conditions to ensure the development complies with their requirements.
- 9.12 **Neighbouring amenity;**
- 9.13 One of the core principles of the NPPF, set out at paragraph 17, is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Paragraph (e) of Draft Policy ENV3 of the Submission Draft Craven Local Plan sets out that development should protect the amenity of existing residents as well as create acceptable amenity conditions for future occupiers.
- 9.14 The proposed driveway would improve the amenity of the future occupants of the proposed dwelling by enabling easier access between their vehicles and house. The proposed driveway would run alongside the boundary with the neighbouring property (plot 2) and vehicles on the driveway would be viewed from the kitchen window of this property. It is considered that this arrangement would not be detrimental to the amenity of the future occupants of plot 2, and the proposal is considered to comply with the relevant planning policies.

9.15 **Conclusion;**

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

9.17 *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*

9.18 *Specific policies in this Framework indicated development should be restricted.'*

9.19 In this case it is considered that there are no adverse impacts that would outweigh the benefits of granting planning permission, and the proposal is considered to accord with the NPPF.

10. Recommendation

10.1 Approval

Conditions

Type T – Time Limit for Commencement

1. The development hereby permitted shall be begun not later than 20th December 2019.

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

Type L – Approved Plans

2. The approved plans comprise of:

- Location Plan - 5669-B-B-01 Rev A received by Craven District Council on the 19th April 2018.
- Site Location Plan received by Craven District Council on the 13th October 2016.
- Existing site plan – 5669-B-B-02 Rev A received by Craven District Council on 19th April 2018.
- Proposed site plan – 5669-C-B-01 Rev A received by Craven District Council on 19th April 2018.
- Detached House Elevation Rev A received by Craven District Council on the 13th October 2016.
- Detached House Floor Plan received by Craven District Council on the 13th October 2016.
- Semi Detached Elevation received by Craven District Council on the 13th October 2016.
- Semi Detached Floor Plans received by Craven District Council on the 13th October 2016.

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

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

Type P – Before you commence development

3. No development shall commence until a scheme indicating the type and distribution of all new trees to be provided within the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented within 12 months of the date from when development on site first commenced (including site clearance). Any tree which is removed, becomes seriously damaged, seriously diseased or dies within 5 years of planting must be replaced by a tree of the same species and be of a similar size to that originally planted.

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

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

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

Type C – During building works

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

Reason: To ensure the satisfactory appearance of the development with regards to the visual amenity of the area.

6. Prior to the first use, full details of the materials to be used within the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the walls surrounding the dwellings and hard surfacing materials. The development shall be undertaken in accordance with the approved details and shall be maintained at all times thereafter.

Reason: To ensure the satisfactory detailed appearance of the development.

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

Reason: In the interests of satisfactory and sustainable drainage.

8. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

9. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Station Road Clapham from a point measured 2 metres down the centre line of the access road. The eye height shall be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety.

Type O – Before the Development is Occupied

10. No part of the development shall be brought into use until the existing access on to Station Road Clapham has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in

consultation with the Highway Authority. No new access shall be created within the written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: In accordance with the NPPF and in the interests of highway safety.

Type F – Ongoing conditions

- 11.** Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on site plan 5669-C-B-01 Rev A for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 12.** Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2018 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

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

Informatives

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.Communities.gov.uk)
3. The hours of operation during construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Mondays to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
4. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0370 751 0101 to obtain maps of the site.
5. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Statement of Positive Engagement: -

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

Discharge of Condition(s)

1. The developer should note that Condition Nos 3, 4, 5, 7, 8 and 10 will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case officer.



Application Number: 2018/18922/MMA

Proposal: Application to vary condition 2 of original planning consent reference 18/2016/17399 to alter access

Site Address: Station Road Clapham LA2 8ER

On behalf of: Mr & Mrs P Redfearn

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18982/OUT

Proposal: Outline application with all matters reserved for the proposed development of 4 No domestic dwellings

Site Address: Land Off Springfield High Bentham LA2 7LA

On behalf of: Mr & Mrs P Longton

Date Registered: 21st February 2018

Expiry Date: 18th April 2018

Case Officer: Mandy Cooper

This 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

- 1.2 The application site is a parcel of land equating to just below 1ha and is accessed directly from the south side of Springfield Road, via an existing field gate. The site is situated within a large bowl shaped area of open grassland, enclosed to the frontage by a low stone wall. The site runs from the west to the east along Springfield Road. Ground levels rise in an easterly direction toward a bungalow also fronting Springfield Road.
- 1.3 The remainder of the grassland is relatively flat but then rises abruptly and steeply to the south, southwest and southeast by approximately 10m (maximum) and ending in a bow shaped plateau; upon which are several existing properties.
- 1.4 The site is located adjacent to but outside the Development Limits identified in the Craven District (Outside the Yorkshire Dales National Park) Local Plan and accordingly, is within open countryside.
- 1.5 To the west of the site but separated by Lairgill Beck is Lairgill House. This is a large detached property which is situated in a substantial plot and fronts Mount Pleasant. Just beyond the site to the east is a detached bungalow, No. 2 Springfield Road, which is also situated in a relatively large plot. To the north side of Springfield Road and opposite the site are No.s 1 and 3 Springfield Road. These form part of a group of five detached properties, set back from the road by a wide grass verge, sporadically planted with medium scale trees and substantial screening within the frontage boundaries, provided by additional trees. To the north west of the site is a long row of three storey, terraced properties which are also positioned on much higher ground, approximately 6m higher than Lairgill Lodge.
- 1.6 **Note:** There is also an adjacent application for a single dwelling (2018/18983/OUT) on the same parcel of land to the southeast; which sits on the plateau and was submitted on behalf of the same applicants.

2. Proposal

- 2.2 This application seeks outline permission with all matters reserved for the proposed development of four dwellings. However, submitted plans show full details of the access to the site and the application has been considered on this basis.
- 2.3 The accompanying indicative plans show a proposed access which is slightly offset from the centre of Butts Lane and is situated to the north of Springfield Road. A turning head is indicated at the foot of the drive which then sweeps along the rear of the properties with another turning head situated 6m from the

eastern boundary of the development site. The submission indicates that the scheme would comprise of a stepped terrace of 4 no. 3 bedroom dwellings of varying scales and form.

3. Planning History

None

4. Planning Policy Background

The National Planning Policy/Guidance (NPPG) (2014)
The National Planning Policy Framework (NPPF) (2012)

Saved Local Plan Policies:

ENV1 Development in the Open Countryside
ENV2 Requirements for Development in the Open Countryside
ENV10 Protection of Trees and Woodlands
H2 New Residential Development
H3 Residential Development within the Development Limits of Skipton and Named Local Service Centres
T2 Road Hierarchy

Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP)

SD1 The Presumption in favour of Sustainable Development.
SD2 Meeting the challenge of climate change.
SP1 Meeting Housing Need.
SP4 Spatial Strategy and Housing Growth.
SP7 Strategy for Tier 2 villages
ENV12 Footpaths, Bridleways, Byways and Cycle Routes.
INF4 Parking Provision.

5. Town Council Comments

5.1 The Council notes that the land in question had been left out of the draft Local Plan despite being submitted. The land in question was a sand quarry which was effectively re-filled when the area was used as a local tip for the Town. Concern was expressed both regards to stability of the land and the potential problems of what may be unearthed (asbestos etc) during the development phase.

6. Consultations

6.1 **Environment Agency - Awaited**

6.2 **Highways Officer** – The design standard for the site is Manual for Streets (MfS) and the required visibility splay is 60m by 2m. The agent has confirmed his ownership of the wall to the west of the access, so this visibility can be achieved. Consequently the Local Highway Authority recommends conditions are attached to any permission granted.

6.3 **Environmental Health (Contamination)** The application site has been identified as being at potential risk from the effects of contamination due to its proximity to the former Lairgill Sand Quarry. Conditions are advised.

6.4 **Environmental Health** – During construction, there is the potential for noise nuisance to nearby residential properties therefore a condition which specifies the operating times is included. An additional condition is included which relates to BS8233:2018 – Guidance on Sound Insulation and Noise Reduction for Buildings which presents guideline noise levels both inside and outside dwellings and which requires the applicant 's adherence to these levels by providing evidence to the Local Planning Authority (LPA) of how these levels will be achieved. Two further conditions are included relating to dust and the requirement for clean topsoil.

Clarification sought from Environmental Health regarding their response.

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, a notice was posted on site and in the local press. Five letters have been received in respect of the application. The points made in each of the letters are summarised as follows:

Comments/Objections

Policy

- Conflict with Local Plan
- Local Plan did not include the development of this field
- Concerns over area identified in plan as 'potential future development.'

Amenity

- Close to adjoining properties
- Loss of privacy for neighbouring properties, the plans mention some form of planting to screen this but the planting would take several years to mature, hence no screening in the short term.
- Loss of privacy to properties situated to the south and southwest of site. Plans to plant trees along the cliff line would remove this situation and stabilise the soil.

Highway Safety

- Inadequate access
- The increase in traffic may raise the need for a footpath along the driveway, such a facility is not indicated on the plans
- Concerns that our access would be blocked during construction
- What is additional access going around the back of No.2 Springfield for
- Proposed access gate onto the highway is opposite Butts Lane which could present a turning hazard to traffic, particularly with four houses sharing the same access

Drainage

- Increased danger of flooding
- Area was a pond in winter months
- Online plans do not mention requirement for drainage as the field does not flood, this is not the case. The field is at the bottom of a hill and during heavy rain standing water occurs. Adequate drainage should be investigated prior to progressing
- Possible disruption to water supply to father's property – very old pipe could easily be damaged

Contaminated land/ Land Stability

- Have been advised that this site was once used for tipping waste
- The land I understand used to be a quarry /tip and there would be a risk of contamination
- Concerns relating to stability of the soil as the proposed dwellings would be surrounded to the east and south sides by steep and unstable land – as evidenced by the slipping turf. This situation could impact on the existing dwellings situated close to the top of the slope. Advice should be sought regarding the stabilisation of this land through biological means (ie trees) to preserve the character of this land

- Concerns regarding stability of land when digging foundations as there already appears to be some movement and there are cracks in my father's house
- The hillside already looks unstable and works could affect this

Ecology

- No general dislike of this proposal but would like to make the planning committee aware that prior to submission of the proposal, several mature trees were cut down to make way for the new road access and dwellings
- Effect on wildlife due to cutting the trees down along the stream (already completed)
- Replacement planting of trees should be considered in respect of felling the existing larch grove to the eastern end of the site

General Comments

- No objection to building of new houses in the current national climate I have a few comments in response to this planning proposal
- Whilst I understand the need for housing, new housing is not the answer as there are many empty properties that should be renovated and used before looking at building new
- The houses appear to be small and raises significant concern of the trend for smaller housing in the UK, rather than providing properties with reasonable living space
- Bentham generally has lower house prices compared to other local areas. The Local Plan should strive to maintain liveable houses at a reasonable price

8. Summary of Principal Planning 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 this Framework indicate development should be restricted.

8.2 Having regard to the relevant policy context, the nature of the development applied for and the representations received from consultees, it is considered that the main issues in this case are:

- **Principle of Development**
- **Visual Impact/Residential Amenity**
- **Highway Considerations**
- **Drainage**
- **Contamination**
- **Ecology**
- **Other Matters**

9. Analysis

9.1 **Principle of Development**

General Policy Principles

9.2 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires development proposals are determined in accordance with the Development Plan unless material considerations indicate

otherwise. In this case the Development Plan comprises the Craven District (outside the Yorkshire Dales National Park) Local Plan. The National Planning Policy Framework (NPPF) and the National Planning Practice Guide (NPPG) are also material considerations.

- 9.3 In terms of the status of the Submission Draft Craven Local Plan, this document was submitted to the Secretary of State on 27th March 2018. The submission of the Local Plan is at an advanced stage, and therefore weight can be given to it. However, the NPPF at paragraph 216 sets out that the weight that should be given to draft policies will depend upon the ‘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 the Framework, the greater the weight that may be given.’
- 9.4 The NPPF’s Core Planning Principles state that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable (para 17).
- 9.5 Under the current Local Plan, High Bentham is referred to as one of the local service centres. The application site lies outside of development limits and therefore, saved Local Plan policy ENV1 applies. Policy ENV1 seeks (amongst other things) to protect the character and quality of the open countryside from being spoilt by sporadic development. This is broadly in accordance with land use planning principles (para. 17) in the NPPF. The NPPF however also makes allowances for development in rural areas which do not strictly accord with policy ENV1. In particular, paragraph 55 of the NPPF recognises that, depending on location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. The main objective of paragraph 55 is to avoid new isolated homes in the countryside but this development site does not compare in respect of being ‘isolated.’
- 9.6 Saved policy H3 states that within the development limits of the local service centres, residential development will be permitted where (amongst other things) it involves infilling. The accompanying justification states that there will continue to be opportunities for housing development on unidentified sites ranging from single plots to larger ‘windfall sites.’ The site immediately adjoins the development limits and would infill an existing gap of frontage development and is therefore considered to accord with policy H3 in this instance.
- 9.7 The application site would, despite being outside development limits form an infill site in a gap within an existing frontage development; and immediately adjoins the development limit. On this basis it is considered that despite the proposal not strictly being in accordance with the current development plan, it is acceptable in principle due to its location amongst existing adjacent dwellings.

9.8 *Housing Land Supply & Conclusion regarding Principle of Development*

- 9.9 Paragraph 47 (NPPF) requires the Local Planning Authority (LPA) to significantly boost the housing supply by identifying ‘a supply of specific deliverable sites sufficient to provide five years of housing, 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, LPAs should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply.’
- 9.10 The NPPF identifies that housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). Relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites.
- 9.11 In March 2018 the Council submitted the Council’s New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year

Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.

9.12 The application is in 'outline' but it is considered that a suitable detailed scheme of development could be achieved at the Reserved Matters stage, which would have an acceptable impact on the character and appearance of the locality and the amenities for occupants of the surrounding dwellings and environment.

9.13 High Bentham has good pedestrian and vehicle connections to local services and facilities (e.g. Primary School, Public House & Local Shops). In addition, Bentham has local transport services which connect to neighbouring villages and towns. The site is therefore considered to be a sustainable location for residential development. The proposal would contribute to the overall mix of housing in the area. The principle of the proposed scheme is therefore considered to be acceptable in spite of not being strictly in accordance with the saved policies within the CDLC.

9.14 Visual Impact / Residential Amenity

9.15 NPPF (para 17) states that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

9.16 The proposal is for outline permission to determine the principle of development with all matters reserved but the submitted details include an indicative layout and (indicative) means of access. The application also states that the proposal is for four dwellings. An illustrative layout plan has been included in the application showing a relatively standard scale row of stepped, terraced properties. As previously stated, the existing residential properties surrounding the site, comprise a variety of dwelling types in terms of scale, height, form and tenure, so there is no particular prevalence in terms of design. The one element that unifies them is the use of materials which is coursed stone.

9.17 Saved Local Plan policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1; is compatible with the character of the area and does not have an unacceptable impact on the landscape; that the design and materials used relate to the setting; that traffic generated can be accommodated satisfactorily and that services and infrastructure can be provided without any detrimental impact on the locality. The proposal is for outline with all matters reserved but the submitted Design & Access Statement (DAS) advises that the buildings would be clad in a natural stone finish to match the adjacent properties. In addition, natural blue slate roof; stone cills, heads and mullions with light oak colour UPVC doors and windows.

9.18 Whilst the site is within a very prominent location fronting Springfield, it is capable of accommodating the dwellings without detriment to the character of the area, due to its frontage position. The site is an appropriate size for the scale of this development and it is considered that it can be developed to accommodate four dwellings, whilst maintaining an acceptable visual relationship with adjacent properties.

9.19 It is considered that a suitable detailed scheme of development could be achieved at the Reserved Matters stage, which would have an acceptable impact on the character and appearance of the locality. The proposal is therefore considered to be in compliance with the requirements of the aforementioned saved policies within the Craven District (outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

- 9.20 Neighbour comments include concerns regarding loss of privacy and reference to the site being close to adjoining properties. The most easterly (indicative) property is located 10m (minimum) from the west boundary of the adjacent property being No. 2 Springfield Road. To the west is Lairgill House situated 25m (minimum) from the west boundary of the proposal site. Properties to the north side of Springfield are situated more than 40m in distance from the site frontage. The row of terraces northwest of the site are offset from the frontage and located at a minimum distance of 39m. On the basis of the above, there are no concerns with regards to the residential impact of the development, in respect of overlooking, overshadowing, loss of light or dominance, based on the application site boundaries.
- 9.21 In conclusion, there are no officer concerns in principle to the proposal in terms of residential amenity, provided that the scale of the development is appropriate, that the separation distances shown on the indicative site plan can be maintained between the proposed and existing dwellings. It is therefore considered that the site can be developed whilst maintaining an acceptable relationship with adjacent properties so that residential amenity is not compromised. The proposal therefore complies with the requirements of the guidance contained within paragraph 17 of the National Planning Policy Framework.

9.22 Highway Considerations

- 9.23 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- 9.24 Paragraph 32 of the NPPF states that:
'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 9.25 Paragraph 34 (NPPF) advises that plans and decisions should ensure sustainable transport modes can be maximised and NPPF para 32 which states that plans and decision should take into account of whether safe and suitable access to the site can be achieved for all people.
- 9.26 Saved policy T2 is permissive of development proposals that are appropriate to the highway network where, (amongst other things) any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.27 Whilst all matters are reserved, the plans indicate that access would be taken from the south side of Springfield Road. The Highway Management Officer has not raised objections to the proposal and has made reference to the ownership of the existing wall fronting the site and this enabling the achievement of 60m of visibility and has included a number of conditions.
- 9.28 The proposed development would generate very little additional traffic from the new dwellings and Springfield Road, whilst being one of the main routes through High Bentham; does not appear to experience high congestion. Based on the Highway Officers assessment, there are therefore no concerns in relation to highway safety.

9.29 Flood Risk/Drainage

- 9.30 Paragraph 100 (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) *'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.'*
- 9.31 The site is below 1ha and located in flood zone 1, which has a low probability of river and sea flooding (land with a less than 1 in 1000 or <0.1% annual probability of river/sea flooding), in accordance with both the Environment Agency's (EA) website and Craven District Council's (Level 1) Strategic Flood Risk Assessment (SFRA). Accordingly, there is no requirement for the application to be accompanied by a Flood Risk Assessment (FRA).

- 9.32 The site is shown (from both sources) to be at risk from surface water flooding, low risk to the site itself but high risk directly adjoining the watercourse to the west - Lairgill Beck (not a main river), on the EA website. The SFRA gives a similar result but a 1 in 30 year extent down to a 1 in 100 year extent. There has not however been any historic flooding to the site.
- 9.33 The area is also susceptible to ground water (emergence) flooding, with more than a 25% chance and less than a 50% chance.
- 9.34 New development can impact on the amount of surface water due to additional impermeable areas and can result in *'increase in surface water run off rates and volumes and consequently a potential increase in downstream flood risk due to overloading of sewers, watercourses, culverts and other drainage infrastructure,'* (SFRA 9.1). The SFRA (A.2.6) also advises the *'management and re-use of surface water on-site, assuming the site is large enough to facilitate this and achieve effective mitigation,'* where sites are at a significant risk from surface water flooding. The land under the applicant's ownership includes the full extent of the open area, therefore, providing the majority of the pasture remains undeveloped, there is the option of providing effective surface water management and the potential for storage on the wider site.
- 9.35 It is acknowledged that surface water needs to be disposed of sustainably within the site and that avoidance of discharging to the main sewer is advised, even at an agricultural rate. Providing the Environment Agency respond favourably and the development addresses any additional risk from surface water flooding within the Reserved Matters, it is considered that the proposal is acceptable in this respect.
- 9.36 Contamination/Site Stability**
- 9.37 Paragraph 006 (ref ID: 33-006-20140306) of the National Planning Practice Guide (NPPG) advises that if there is reason to believe that a site may be contaminated, developers should provide:
'proportionate but sufficient site investigation (a risk assessment) to determine the existence or otherwise of contamination.'
- 9.38 A number of objectors have referred to the fact that part of the site was previously used as a tip and that there may be the risk of site contamination from such materials as asbestos. As regards, other general matters; there is no current technical evidence concerning the stability of the site would cause insurmountable problems should the development be granted. Furthermore, the issue of stability of the land itself is subject to separate legislation (including building regulations) and would not normally form a material planning consideration. Additionally, the NPPF (para.120) advises that in order to prevent risks from pollution and land instability, decisions should ensure that development is appropriate to its location. Where a site is affected by contamination or stability issues, it is the responsibility of the landowner and or developer to ensure safe development of such a site.
- 9.39 The adjacent application (2018/18983/OUT) has had a response from the Environmental Health Officer with conditions included. As a precaution it would be prudent to include the same condition on this proposal which would ensure that any contamination is mitigated.
- 9.40 On this basis it is considered that any matters of contamination can be mitigated and dealt with effectively, therefore the proposal is considered to accord with the relevant sections of the NPPF and the NPPG.
- 9.41 Other Matters**
- 9.42 Whilst acknowledging comments expressing concerns over the potential impact of the development on local biodiversity, it is the officers opinion that a proposal of this scale would not significantly adversely impact on the local wildlife to warrant a refusal.
- 9.43 Comments have been received in relation to the removal of trees prior to the submission of the application. The trees which were removed were not protected. Similarly, if a tree has a diameter of less than 75mm it is also exempt from protection. In this instance, it is unclear on whether the trees had a diameter of 75mm or more. As such, it would not be practical to take enforcement action.

Conditions are included however which would require a landscaping scheme to be submitted as part of the Reserved Matters application.

9.44 One comment refers to the small scale of the proposed dwellings. As stated the proposal is for outline permission but the properties appear to be of a relatively standard scale when compared to other adjacent dwellings and would have (based on the submitted site plan) an internal living space of anywhere between 88-96sqm.

9.45 The site and wider area was put forward for consideration in the emerging plan but has not been included (HBO27 & HBO48). The site is classed as 100% greenfield despite its historic use and was classed as viable. There was some concern regarding the required level of visibility restricted (NYCC Highways) to the east by the alignment of the main road. It is unclear why the site has not been included other than there being 'no evidence available.'

9.46 **Conclusion**

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

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.

In this instance, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10. Recommendation

10.1 Planning permission be granted subject to the following conditions.

Conditions

1. Approval of the details of the scale, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out as approved.

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

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan as received on 02.02.2018

Proposed indicative site plan as received on 12.02.2018

Reason: For the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

5. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - (ii) (c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail **number E6**.
 - (iii) Any gates or barriers shall be erected a minimum distance of **6 metres** back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - (iv) That part of the access(es) extending **6 metres** into the site from the carriageway of the existing highway shall be at a gradient not exceeding **1 in 20**.
 - (v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
 - (vi) The final surfacing of any private access within **6 metres** of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason: In accordance with policy T2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

6. No development above damp proof course level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: The submitted application did not specify the materials to be used in the proposed development or the specified materials were not considered acceptable. It is considered that the use of inappropriate materials could be harmful to the appearance of the area and that the Council therefore needs to retain a measure of control.

Note: The developer's attention is drawn to the fact that development cannot commence until the facing materials have been agreed. A period of at least 10 working days should be allowed for the submission and approval process. Developers are, however, advised that whilst the Council expects to be able to respond within 10 working days, the lack of a response within that time should not be taken as a deemed approval.

7. No development shall take place on site until full details of both hard and soft landscape works for the whole site together with a programme of implementation have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: A well-designed landscaping scheme can enhance the living environment for future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

8. All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: Because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

9. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of **60 metres** measured along both channel lines of the major road **B6480** from a point measured **2 metres** down the centre line of the access road. The eye height will be **1.05 metres** and the object height shall be **1.05 metres**. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy T2 and in the interests of road safety

10. No dwelling shall be occupied until the vehicular access has been provided and space has been laid out for cars to be parked in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory vehicular access and to ensure that reasonable and adequate space is provided within residential curtilages to meet normal parking demands and avoid the need for vehicles to park on the highway where they could adversely affect the safety of other highway users.

11. The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed finished floor levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. Those details shall include both cross-sections through the site illustrating the relationship of the levels with existing adjoining land levels and building profiles and a site survey illustrating the relationship of existing and proposed levels on this site and adjoining land. The buildings shall then be constructed with the approved levels.

Reason: To ensure that there is a satisfactory relationship between the proposed development and existing properties/surroundings and avoid a potential conflict with existing residential amenities/privacy. Ground levels are required to ensure that neighbouring properties are not adversely affected by difference in levels and surface water run-off.

12. Foul and surface water shall be drained on separate systems. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

13. 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 adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved.

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

14. The applicant should identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

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

15. 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.

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

Reason: To ensure that no contaminated materials are brought onto the site.

16. No development other than that required to be carried out as part of the site clearance works shall take place until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Where unacceptable risks are identified, an appropriate scheme of remediation to make the site suitable for the intended use must also be submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken and site management procedures.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

Note: The report of the findings must 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,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

Note to Applicant/Agent

Highways

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

Protected Species:

The granting of planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IVB of Circular 06/2005. Should any protected species or evidence of protected species be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and be given Natural England's contact details.

Nesting Birds:

Nesting Birds: With certain exceptions, all wild birds, their nests and eggs are protected by the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). If any proposed works is scheduled to take place in the main bird breeding season (early March to late August) the potential impact on nesting birds and the risk of committing an offence is increased. Therefore, in such an instance the Council would advise that a survey for active bird nests should be carried out by a suitably qualified ecologist immediately prior to commencing works. If active nests are found, all construction works around the nest (including a buffer area determined by the ecologist), should be avoided until the breeding attempt has ended as confirmed by the ecologist.

Landscaping Scheme

A successful landscaping scheme shall include all that are of relevance to the development approved from the following list:

- Indications of all existing trees and hedgerows on land including species, spread and maturity
- Details of any retained trees, together with measures for their protection in the course of development
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities.
- Means of enclosure
- Proposed finished levels or contours
- Hard surfacing materials
- Incorporation of vehicle and pedestrian accesses, parking and circulation areas
- Minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting, etc)

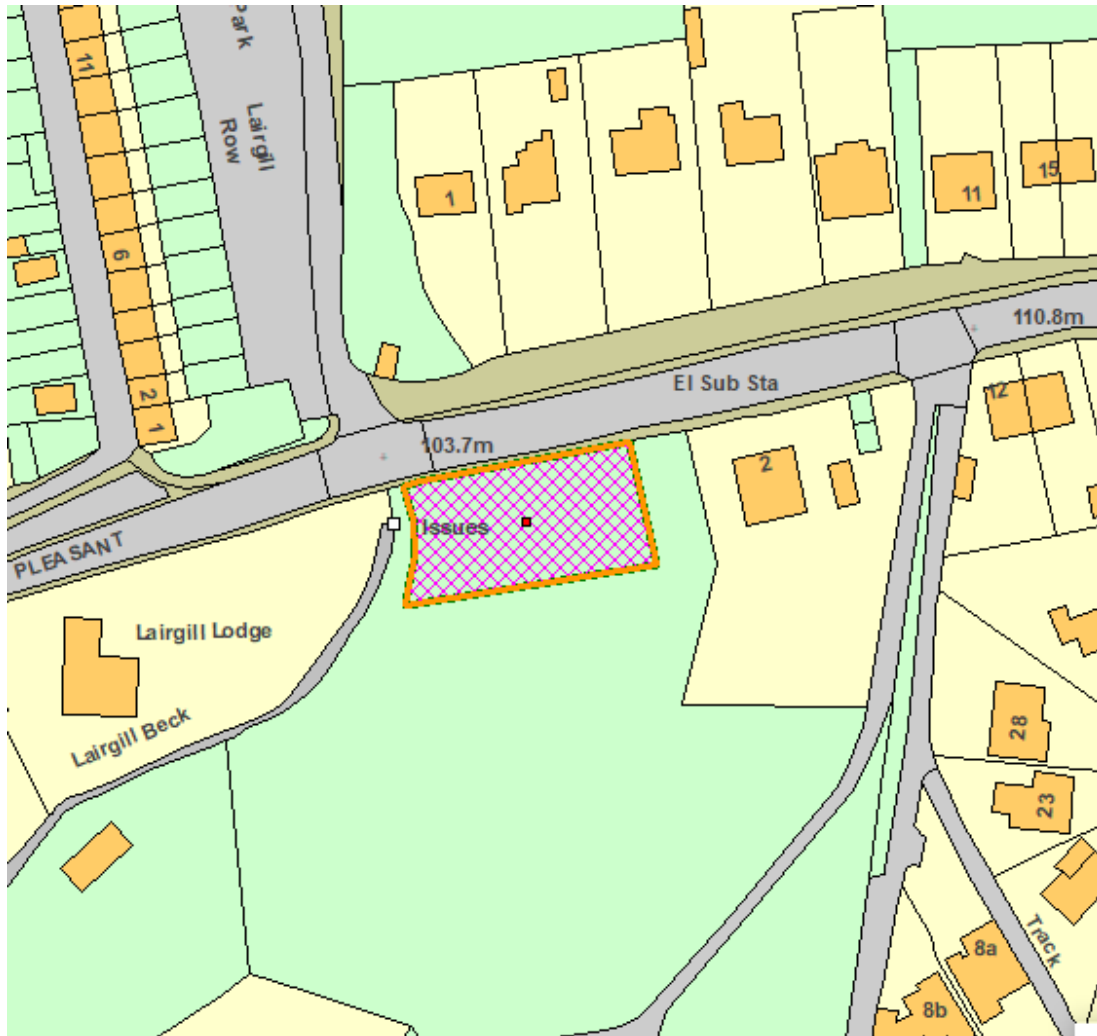
The scheme shall include a programme for the implementation of the landscaping works and a plan for the future maintenance of the areas not included within private curtilages.

Hours of Operation

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.

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



Application Number: 2018/18982/OUT

Proposal: Outline application with all matters reserved for the proposed development of 4 No domestic dwellings

Site Address: Land Off Springfield High Bentham LA2 7LA

On behalf of: Mr & Mrs P Longton

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18983/OUT

Proposal: Outline application with all matters reserved for proposed development for 1 No domestic dwelling.

Site Address: Land Off Springfield Road High Bentham LA2 7LA

On behalf of: Mr P Longton

Date Registered: 14th February 2018

Expiry Date: 11th April 2018

Case Officer: Mandy Cooper

1. **Site Description**

- 1.2 The application site is a small parcel of land equating to less than 0.1ha and is accessed from the south side of Springfield Road, by a 10m wide access which then splits into two separate and long private drives. The private drive serving the application site also currently serves two other residential properties.
- 1.3 The site is located adjacent to but outside the Development Limits identified in the Craven District (Outside the Yorkshire Dales National Park) Local Plan and accordingly, is within open countryside.
- 1.4 To the north of the site at a distance of 73m (from application site boundary) is No.2 Springfield, a detached bungalow situated within a relatively large plot and level with the public highway. Elevated (but level with the application site) and immediately southeast of the proposal is a pair of semi-detached bungalows and southwest is a detached bungalow. At the end of the private drive and west of the site (55m) is a detached dwelling situated in a large plot (No.4 Springfield).
- 1.5 **Note:** There is also an adjacent application for four dwellings (2018/18982/OUT) on the wider site but to the frontage of the site and adjoining Springfield Road.

2. **Proposal**

- 2.1 This application seeks outline permission with all matters reserved for the proposed development of a single dwelling.
- 2.2 The accompanying indicative plans show access taken from the private drive currently shared with two other properties and an indicative layout, which the Design & Access Statement (DAS) refers to as a single storey dwelling with rooms in the roof space.

3. **Planning History**

None

4. **Planning Policy Background**

The National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (2014)

Saved Local Plan Policies:

ENV1 Development in the Open Countryside

ENV2 Requirements for Development in the Open Countryside

ENV10 Protection of Trees and Woodlands
T2 Road Hierarchy

Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP)

SD1 The Presumption in favour of Sustainable Development.

SD2 Meeting the challenge of climate change.

SP1 Meeting Housing Need.

SP4 Spatial Strategy and Housing Growth.

SP7 Strategy for Tier 2 villages

ENV12 Footpaths, Bridleways, Byways and Cycle Routes.

INF4 Parking Provision.

5. **Town Council Comments**

Comments awaited, Members will be updated at the meeting

6. **Consultations**

6.1 **Highways Officer** – The design standard for the site is Manual for Streets (MfS). Speed readings received (27.03.2018) show that the existing visibility is sufficient for the measured speeds, therefore there are no local highway authority objections to the proposed development.

6.2 **Environmental Health (Contamination)** The application site has been identified as being at potential risk from the effects of contamination due to its proximity to the former Lairgill Sand Quarry. Conditions are advised.

6.3 **Environmental Health** – During construction, there is the potential for noise nuisance to nearby residential properties therefore a condition which specifies the operating times is included. An additional condition is included which relates to BS8233:2018 – Guidance on Sound Insulation and Noise Reduction for Buildings which presents guideline noise levels both inside and outside dwellings and which requires the applicant 's adherence to these levels by providing evidence to the Local Planning Authority (LPA) of how these levels will be achieved. Two further conditions are included relating to dust and the requirement for clean topsoil.

6.4 **Public Rights of Way** – No comments but include an informative

6.5 **United Utilities (drainage)** – In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above. In line with these comments, we recommend a condition is attached to any approval notice.

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, a notice was posted on site and in

the local press. Three letters have been received in respect of the application. The points made in each of the letters are summarised as follows:

Comments/Objections

Flooding

- Area was a pond in winter months
- Increased danger of flooding

General Comments

- Clarification of ownership of the existing access is required. This has been classed as a private road serving the two existing properties
- This dwelling is likely to be one of many which would be drip fed to you (the LPA) for approval so we are condemned to spend our lives on a building site and having to put up with noise from morning until night

Amenity

- Noise nuisance
- Loss of privacy
- Development would spoil our views and privacy

Contamination/Subsidence

- Have been advised that this site was once used for tipping waste and the driveway seems to follow the edge of the quarry
- Land potentially contaminated
- Concerns regarding possible subsidence

Access/Highway Safety

- The increase in traffic arising from 5 compared with 2 dwellings may result in the need for a footway
- Development right next door to parents property and concerns that access would be blocked during construction
- Inadequate access

8. Summary of Principal Planning 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 this Framework indicate development should be restricted.

8.2 Having regard to the relevant policy context, the nature of the development applied for and the representations received from consultees, it is considered that the main issues in this case are:

- **Principle of Development**
- **Visual Impact/Residential Amenity**
- **Highway Considerations**

- **Flood Risk/Drainage**
- **Contamination**
- **Other Matters**

9. Analysis

9.1 **General Policy Principles**

- 9.2 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires development proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the Craven District (outside the Yorkshire Dales National Park) Local Plan. The National Planning Policy Framework (NPPF) and the National Planning Practice Guide (NPPG) are also material considerations.
- 9.3 In terms of the status of the Submission Draft Craven Local Plan, this document was submitted to the Secretary of State on 27th March 2018. The submission of the Local Plan is at an advanced stage, and therefore weight can be given to it. However, the NPPF at paragraph 216 sets out that the weight that should be given to draft policies will depend upon the ‘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 the Framework, the greater the weight that may be given.’
- 9.4 The NPPF’s Core Planning Principles state that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable (para 17).
- 9.5 Under the current Local Plan, High Bentham is referred to as one of the local service centres. The application site lies outside of development limits and therefore, saved Local Plan policy ENV1 applies. Policy ENV1 seeks (amongst other things) to protect the character and quality of the open countryside from being spoilt by sporadic development. This is broadly in accordance with land use planning principles (para. 17) in the NPPF. The NPPF however also makes allowances for development in rural areas which do not strictly accord with policy ENV1. In particular, paragraph 55 of the NPPF recognises that, depending on location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. The main objective of paragraph 55 is to avoid new isolated homes in the countryside but this development site does not compare in respect of being ‘isolated.’
- 9.6 Saved Local Plan policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1; is compatible with the character of the area and does not have an unacceptable impact on the landscape; that the design and materials used relate to the setting; that traffic generated can be accommodated satisfactorily and that services and infrastructure can be provided without detriment to the locality.
- 9.7 Saved policy H3 states that within the development limits of the local service centres, residential development will be permitted where (amongst other things) it involves infilling. The accompanying justification states that there will continue to be opportunities for housing development on unidentified sites ranging from single plots to larger ‘*windfall sites*.’ The site whilst being outside the development limits. The application site would, despite being outside development limits be within an existing group of dwellings. On this basis it is therefore considered that despite the proposal not strictly being in accordance with the current development plan, the principle of the proposed scheme is considered to be acceptable.
- 9.8 The application is in ‘outline’ but it is considered that a suitable detailed scheme of development could be achieved at the Reserved Matters stage, which would have an acceptable impact on the character

and appearance of the locality and the amenities for occupants of the surrounding dwellings and environment.

9.9 High Bentham has good pedestrian and vehicle connections to local services and facilities (e.g. Primary School, Public House & Local Shops). In addition Bentham has local transport services which connect with neighbouring villages and towns. The site is therefore considered to be a sustainable location for residential development. The proposal would contribute to the overall mix of housing in the area. The principle of the proposed scheme is therefore considered to be acceptable, despite not strictly adhering to saved policies within the Craven Local Plan.

9.10 **Housing Land Supply**

9.11 Paragraph 47 (NPPF) requires the Local Planning Authority (LPA) to significantly boost the housing supply 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, LPAs should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply.'

9.12 The NPPF identifies that housing applications should be considered in the context of the presumption in favour of sustainable development (para 49). Relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites.

9.13 Taking into account that the Council have now submitted the plan along with Housing Trajectory the above conclusion cannot now be used and should be replaced with the following.

9.14 In March 2018 the Council submitted the Council's New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.

9.15 **Visual Impact/Residential Amenity**

9.16 NPPF (para 17) states that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

9.17 Section 7 of the NPPF highlights the importance of good design and its key role in providing sustainable development. Paragraph 58 advises that development should respond to local character and history, and reflect the identity of the local surroundings and materials.

9.18 One neighbour comment refers to loss of views. No-one has a right to a view, therefore, this is not a planning consideration.

9.19 Another neighbour comment states that the indicative plans show possible future development of two more houses to the opposite side (northwest) of the private drive. Whilst the plots are shown on the plans, these do not form part of the application; therefore this is speculation regarding the possibility of further development adjacent to the application site.

9.20 One further comment refers to potential noise from the development. Any new development would create some noise during construction and the Environmental Health Officer has referred to this in his response. In order to protect residential amenity and minimise the temporary disturbance during construction, a number of conditions and informatives are recommended.

- 9.21 The proposal is for outline permission to determine the principle of development with all matters reserved but the submitted details include an indicative layout and use of an existing private drive. The submitted Design & Access Statement (DAS) indicates a medium scale detached dwelling which would be *'built in a traditional bungalow form, with rooms within the roof space'* and would have an eaves height of 5m in order to reflect the scale of the adjacent properties.
- 9.22 Further comments refer to a loss of privacy but on the basis of the separation distances shown on the indicative plan and providing that the Reserved Matters application ensures that there are no windows which directly overlook the adjacent properties; it is considered that a good relationship between the existing and proposed can be maintained. It is considered however, that the detailed scheme should only provide for single-storey or a one and a half storey dwelling, to ensure that the development maintains this relationship and to ensure the new dwelling would be viewed in context within the group of existing dwellings.
- 9.23 Whilst the site is within a very prominent and sensitive location, it is capable of accommodating a dwelling without detriment to the character of the area. The site is an appropriate size for the scale of this development and it is considered that it can be developed to accommodate a single dwelling whilst maintaining an acceptable relationship with adjacent properties and which would not give rise to any concerns regarding residential amenity. The detailed scheme should only provide for a single or one and a half storey dwelling, with a maximum eaves height of 5m as referred to in the DAS to ensure that the development maintains this relationship.
- 9.24 In conclusion, the proposal would not result in any unacceptable loss of privacy or amenity to the occupants of neighbouring properties. The proposal therefore complies with the requirements of the guidance contained within paragraph 17 of the National Planning Policy Framework.
- 9.25 **Highway Considerations**
- 9.26 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- Paragraph 32 of the NPPF states that:
- 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.
- 9.27 Paragraph 34 (NPPF) advises that plans and decisions should ensure sustainable transport modes can be maximised and NPPF para 32 which states that plans and decision should take into account of whether safe and suitable access to the site can be achieved for all people.
- 9.28 Saved policy T2 is permissive of development proposals that are appropriate to the highway network where, (amongst other things) any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.29 A neighbour comments that the difference in traffic relative to five dwellings rather than two may result in the need for a footway. This relates to the two additional dwellings shown on the indicative plans and referred to as 'possible future development.' These do not however form part of the proposal site and should therefore be discounted. Additionally comments are made regarding the access being inadequate. The access is a private drive which in reality could serve up to five dwellings.
- 9.30 Another comment is from the daughter of a resident whose property is situated immediately southwest of the site and which utilises the same private drive as the proposal would. Concerns relate to the drive being blocked when works are undertaken (should the application be approved. Such an incidence would require a police presence and is not a planning matter.
- 9.31 Whilst all matters are reserved, the plans indicate that access would be taken directly from Springfield Road. There have been a number of objections to this arrangement with residents concerned that the increase in traffic could impact on highway safety. The access is sufficient to accommodate the

additional traffic and the Highway Management Officer has commented on the application stating that the required visibility can be achieved and there are no concerns.

9.32 In conclusion, it is considered that the proposal would not result in a development contrary to highway safety for both pedestrians and vehicle users. As such the proposal complies with Saved Policy T2 and the aims and objectives of the NPPF.

9.33 **Flood Risk/Drainage**

9.34 The site is below 1ha and located in flood zone 1, which has a low probability of river and sea flooding (land having less than 1 in 1,000 annual probability), in accordance with both the Environment Agency's (EA) website and Craven District Council's (Level 1) Strategic Flood Risk Assessment (SFRA). The site is not at risk from surface water flooding, on the EA website or the SFRA. There has not however been any historic flooding to the site.

9.35 The area is also susceptible to ground water (emergence) flooding, with more than a 25% chance and less than a 50% chance.

9.36 New development can impact on the amount of surface water due to additional impermeable areas and can result in *'increase in surface water run off rates and volumes and consequently a potential increase in downstream flood risk due to overloading of sewers, watercourses, culverts and other drainage infrastructure,'* (SFRA 9.1). The SFRA (A.2.6) also advises the *'management and re-use of surface water on-site, assuming the site is large enough to facilitate this and achieve effective mitigation,'* where sites are at a significant risk from surface water flooding. The land under the applicant's ownership includes the full extent of the open area, therefore, providing the majority of the pasture remains undeveloped, there is the option of providing effective surface water management and storage on the wider site.

9.37 Concerns have been raised by neighbours regarding an increased risk of flooding and ponding of the site during the winter. As the proposal sits on a higher site than the remainder of the pasture, it is more than likely that any surface water would run downhill. Development of this site would address any issues of surface water run off by either retaining on site or re-directing it more sustainably.

9.38 **Contamination**

9.39 Paragraph 006 (ref ID: 33-006-20140306) of the National Planning Practice Guide (NPPG) advises that if there is reason to believe that a site may be contaminated, developers should provide:

'proportionate but sufficient site investigation (a risk assessment) to determine the existence or otherwise of contamination.'

9.40 The NPPF (para.120) advises that in order to prevent risks from pollution and land instability, decisions should ensure that development is appropriate to its location. Where a site is affected by contamination or stability issues, it is the responsibility of the landowner and or developer to ensure safe development of such a site.

9.41 Objectors have referred to the fact that part of the site was previously used as a tip and that there may be the risk of site contamination from such materials as asbestos.

9.42 The relevant Environmental Health Officer states that the site has been identified as being at potential risk of contamination and has imposed a condition on any permission requiring site investigation and remediation where necessary.

9.43 On this basis it is considered that any matters of contamination can be mitigated and dealt with effectively, therefore the proposal is considered to accord with the relevant sections of the NPPF and NPPG.

9.44 **Other Matters**

9.45 As regards matters of subsidence; there is no current technical evidence concerning the stability of the site would cause insurmountable problems should the development be granted. Furthermore, the issue

of stability of the land itself is subject to separate legislation (including building regulations) and would not normally form a material planning consideration.

9.46 A request regarding the ownership of the private access road has been raised by another objector. A certificate A has been submitted with the application which confirms that the applicants are the owners of the access and that potentially the occupants of the adjacent properties simply have a right of access.

9.47 **Conclusion**

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

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.

In this instance, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10. Recommendation

10.1 To grant planning approval subject to the following conditions

Conditions

1. Approval of the details of the means of foul and surface water drainage, scale, siting, access, appearance and landscaping of the development (hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out as approved.

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

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan as received on 6th February 2018
Indicative site plan on 6th February 2018

Reason: For the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

5. No development above damp proof course level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in

accordance with the approved details.

Reason: The submitted application did not specify the materials to be used in the proposed development or the specified materials were not considered acceptable. It is considered that the use of inappropriate materials could be harmful to the appearance of the area and that the Council therefore needs to retain a measure of control.

Note: The developer's attention is drawn to the fact that development cannot commence until the facing materials have been agreed. A period of at least 10 working days should be allowed for the submission and approval process. Developers are, however, advised that whilst the Council expects to be able to respond within 10 working days, the lack of a response within that time should not be taken as a deemed approval.

6. No development shall take place on site until full details of both hard and soft landscape works for the whole site together with a programme of implementation have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: A well-designed landscaping scheme can enhance the living environment for future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

7. All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: Because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

8. The dwelling shall not be occupied until the vehicular access has been provided and space has been laid out for cars to be parked in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory vehicular access and to ensure that reasonable and adequate space is provided within residential curtilages to meet normal parking demands and avoid the need for vehicles to park on the highway where they could adversely affect the safety of other highway users.

9. The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed finished floor levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. Those details shall include both cross-sections through the site illustrating the relationship of the levels with existing adjoining land levels and building profiles and a site survey illustrating the relationship of existing and proposed levels on this site and adjoining land. The buildings shall then be constructed with the approved levels.

Reason: To ensure that there is a satisfactory relationship between the proposed development and existing properties/surroundings and avoid a potential conflict with existing residential amenities/privacy. Ground levels are required to ensure that neighbouring properties are not adversely affected by difference in levels and surface water run-off.

10. No development shall take place on site until a scheme for the discharge of surface water from the site, incorporating a sustainable drainage system and associated management and maintenance plan, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied/brought into use until surface water drainage has been constructed in accordance with the approved scheme, and shall be managed and maintained in accordance with the approved plan.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal.

The submitted surface water scheme should include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in DEFRA document "National Standards for Sustainable Drainage Systems" (2011). Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The details should include the provision of oil-interceptor(s) for surface water drainage from impermeable parking areas and hardstanding for vehicles.

11. No development shall take place on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied/brought into use until the approved sewerage details have been fully implemented in accordance with the approved plans.

Reason: In order to ensure that the proposal is provided with a satisfactory means of drainage.

12. No development other than that required to be carried out as part of the site clearance works shall take place until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Where unacceptable risks are identified, an appropriate scheme of remediation to make the site suitable for the intended use must also be submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken and site management procedures.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors.

Note: The report of the findings must 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,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

13. 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 adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved.

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

14. The applicant should identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

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

15. 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.

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

Reason: To ensure that no contaminated materials are brought onto the site.

INFORMATIVES

Adjacent Public Rights of Way

No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton, via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

Drainage

Public Sewer

In the event of this application being approved and the above condition included in any subsequent Decision Notice, United Utilities will not provide formal comment on this condition through the Local Authority planning process. If the applicant intends to connect to the public sewer system, discharge rates will instead be reviewed as part of our standard S106 sewer connection process which relates to new connections to the public sewer. For brownfield sites, we wish to target a reduction in accordance with national standards on sustainable drainage which seek to reduce run-off to greenfield rates. Our minimum expectation on a brownfield site will be a 50% reduction in the rate of discharge. In demonstrating the required reduction in discharge rates, full details and associated evidence of existing drainage connections from the site shall be submitted to justify the proposed reduction.

Public Sewer Crossing Site

A public sewer crosses the access road to this site and United Utilities may not permit building over it. United Utilities will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Connection & Discharge Rate to Public Sewer

In the event of this application being approved and the above condition included in any subsequent Decision Notice, United Utilities will not provide formal comment on this condition through the Local Authority planning process. If the applicant intends to connect to the public sewer system, discharge rates will instead be reviewed as part of our standard S106 sewer connection process which relates to new connections to the public sewer. For brownfield sites, we wish to target a reduction in accordance with national standards on sustainable drainage which seek to reduce run-off to greenfield rates. Our minimum expectation on a brownfield site will be a 50% reduction in the rate of discharge. In demonstrating the required reduction in discharge rates, full details and associated evidence of existing drainage connections from the site shall be submitted to justify the proposed reduction.

Adoption

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a S104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the S104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved are done entirely at the developers own risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website <http://www.unitedutilities.com/buildersdevelopers.aspx>

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as a main river.

Water Supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction. To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Alternatively, the applicant can visit our website to find further information and relevant application forms <http://www.unitedutilities.com/builders-developers.aspx>

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

General comments

Where United Utilities exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. **It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.** A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website: <https://www.unitedutilities.com/property-searches/>. You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring **0370 751 0101** to book an appointment. Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

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

Landscaping Scheme

Note: A successful landscaping scheme shall include all that are of relevance to the development approved from the following list:

- Indications of all existing trees and hedgerows on land including species, spread and maturity
- Details of any retained trees, together with measures for their protection in the course of development
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities.
- Means of enclosure
- Proposed finished levels or contours
- Hard surfacing materials
- Incorporation of vehicle and pedestrian accesses, parking and circulation areas
- Minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting, etc)

The scheme shall include a programme for the implementation of the landscaping works and a plan for the future maintenance of the areas not included within private curtilages.

Working Hours

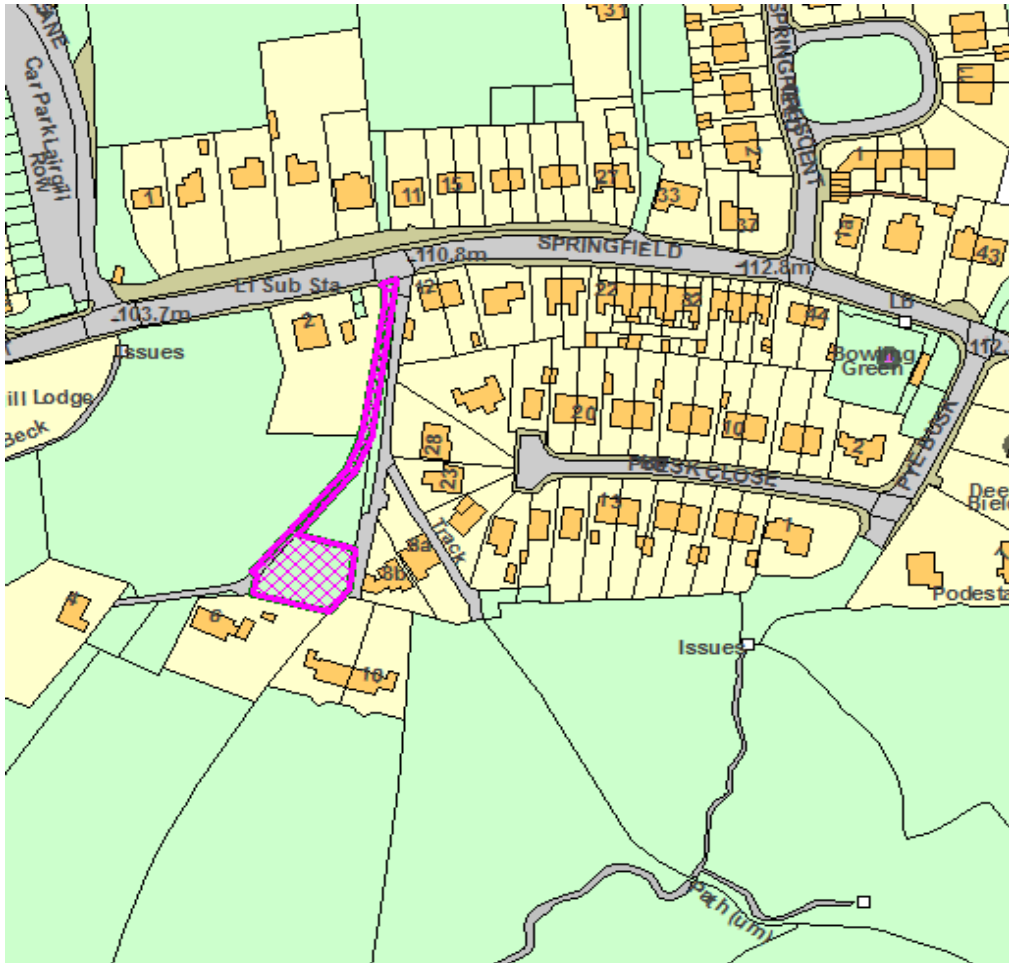
Operating times for construction should be limited to:

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

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.



Application Number: 2018/18983/OUT

Proposal: Outline application with all matters reserved for proposed development for 1 No domestic dwelling.

Site Address: Land Off Springfield Road High Bentham LA2 7LA

On behalf of: Mr P Longton

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18873/FUL

Proposal: 3 no. new dwellings on land associated with an existing property (Holly Tree House). Dwellings proposed are 1no. five bedroom house with an attached 3 car garage and 2no. three bedroom houses with attached single car garages (arranged as a semi-detached unit). Application proposal includes new associated driveways, parking, boundary fences/walls and associated gardens.

Site Address: Land At Holly Tree House Skipton Road Low Bradley BD20 9EF

On behalf of: Mr & Mrs Nelson

Date Registered: 3rd January 2018

Expiry Date: 28th February 2018

Case Officer: Andrea Muscroft

The application was originally referred to the April Planning Committee as it represents a departure from the provisions of the Craven District (Outside the Yorkshire Dales National Park) Local Plan. Members deferred consideration of the application to enable Members to visit the site. The officer recommendation is for approval.

1. Site Description

- 1.1 The application relates to a rectangular parcel of land currently used as the residential garden to Holly Tree House which lies to the north of Skipton Road in the village of Bradley.
- 1.2 To the west and east of the site are residential dwellings with open agricultural land to the north. Located within the application site along the eastern and northern boundaries are a number of trees that are subject to a draft Tree Preservation Order Notice.
- 1.3 The application site is located outside of development limits as defined by the 1999 Local Plan and therefore lies in the open countryside.

2. Proposal

- 2.1 The proposal is seeking approval for the construction of residential dwellings consisting of 1no. five bedroomed detached dwelling with attached triple garage and off street parking and 1 pair of three bedroomed semi-detached dwellings with attached garages and areas of hard standing. The dwellings would be constructed in stone and render with slate roofs.
- 2.2 The proposed development would share the access with the existing access serving Holly Tree House. The boundary wall fronting Skipton Road would be lowered to improve visibility splays.
- 2.3 The existing timber boundary fencing along the western boundary would be retained. The remaining northern and eastern boundary would be defined by a 1.8m timber fence with the remaining southern boundary defined by a stone boundary wall.
- 2.4 Officer Note: Due to concerns expressed by neighbouring properties the agent has submitted a proposed site plan and proposed site section plans. In addition, as requested by members the agent has also submitted a proposed setting out plan. The proposal has been assessed on the submitted details.

3. Planning History
 - 3.1 None of relevance.
4. Planning Policy Background
 - 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 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.
 - 4.3 CDLP
 - ENV1 – Development in the Open Countryside.
 - ENV2 – Requirements for Development in the Open Countryside.
 - T2 – Road Hierarchy.
 - 4.4 Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP)
 - SD1 – The Presumption in favour of Sustainable Development.
 - SD2 – Meeting the challenge of climate change.
 - SP1 – Meeting Housing Need.
 - SP4 – Spatial Strategy and Housing Growth.
 - INF4 – Parking Provision
 - 4.5 National Policy
 - 4.6 The National Planning Policy Framework – NPPF.
 - 4.7 Planning Practice Guidance - PPG
5. Parish/Town Council Comments
 - 5.1 Bradley Parish Council: Object to the proposal for the following reasons:
 - Concern over road safety for both vehicle and pedestrians.
 - Proposal is contrary to the Neighbourhood Plan.
6. Consultations
 - 6.1 **CDC Environmental Health:** No objection but recommends the use of conditions to control potential noise and dust nuisance and the transportation of topsoil to the site.
 - 6.2 **CDC Tree Officer:** No objection but recommend a condition is imposed with regards the construction of protective fencing as per the Arboricultural report.
 - 6.3 **NYCC Highways:** No objections subject to the use of appropriate conditions relating to the construction of visibility splays and the retention of garages for their intended use.
 - 6.4 **Yorkshire Water:** No objection subject to the use of an appropriate condition with regards to the disposal of surface water drainage.
7. Representations
 - 7.1 The proposal was originally advertised in the Craven Herald on the 12th January 2018 and a site notice was posted adjacent to the site on the 26th January 2018. In addition, notification letters were distributed to neighbouring properties.

- 7.2 As a consequence of the original publicity nine letters of objection were received:
- 7.3 Local and National Policies.
- Conflicts with local plan.
- 7.4 Visual
- Over development of the site.
 - Close to adjoining properties.
 - Concern over the proposed materials.
 - Lack of detail to show the relative heights between existing and proposed dwellings.
 - Development in terms of proportions, materials and architectural detailing is unsympathetic to the character of the area.
 - Negative impact on conservation area.
- 7.5 **Officer Note:** The application site lies outside of the designated conservation area.
- 7.6 Amenity
- Concern over the loss of privacy.
 - Concern over potential noise nuisance.
 - Proposal would appear overbearing.
 - Concern over the proposed compost facilities.
 - Proposal would result in an unacceptable loss of outlook.
 - Concern over the loss of natural light.
- 7.7 Highways
- Unacceptable increase in traffic
- 7.8 Other issues
- Concern over the lack of consultation.
 - Trees removed prior to submission of application.
- 7.9 **Officer Note:** The trees removed were not the subject of a Tree Preservation Order nor were they located within a designated conservation area. As such, approval from the Council for their removal was not required.
- Unclear what the impact of the development will have on the village school.
 - Concern over the increase demand on the utility services within the village.
 - Lack of affordable new 'starter homes' in the village.
- 7.10 Following receipt of additional plans, notification letters were distributed to neighbouring properties. Members will be updated at the Planning Committee meeting of any received third party representations.
8. Summary of Principal Planning 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 this Framework indicate development should be restricted.

8.2 Having regard to the relevant policy context, the nature of the development applied for and the representations received from consultees, it is considered that the main issues in this case are:

- Principle
- Visual Impact
- Amenity Issues
- Highway Issues
- Impact on Trees

9. Analysis

9.1 Principle of development

- 9.2 The application site lies outside of development limits and therefore, saved Local Plan policy ENV1 applies. Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development and restricts development to small scale proposals appropriate for the enjoyment of the scenic qualities of the countryside and other appropriate small-scale development having a rural character and where the proposal clearly benefits the rural economy; helps to maintain or enhance landscape character; is essential for the efficient operation of agriculture or forestry; or is essential to the needs of the rural community.
- 9.3 Saved Local Plan policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1 is compatible with the character of the area and does not have an unacceptable impact on the landscape; that the design and materials used relate to the setting; that traffic generated can be accommodated satisfactorily and that services and infrastructure can be provided without a serious harmful change to the character and appearance of the area. These are general planning considerations, broadly in line with the NPPF.
- 9.4 As the Local Plan was adopted in 1999 it was not prepared under the Planning & Compulsory Purchase Act 2004. Paragraph 215 of the National Planning Policy Framework (NPPF) states that policies not adopted in accordance with the 2004 Act need to be considered in terms of their degree of consistency with the NPPF stating that 'the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given'. Consequently, where there is any conflict the Local Plan policies carry limited weight and the policies in the NPPF will take precedence.
- 9.5 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. This guidance reaffirms that it is the Government's clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, there will be a strong presumption in favour of sustainable development that accords with national planning policies.
- 9.6 With respect to Saved Policy ENV1, it is acknowledged that the proposal would not be for agricultural, forestry, or other essential countryside workers dwellings. In light of the above, the proposal would conflict with Saved Policy ENV1.
- 9.7 However, the NPPF 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 paragraph 55, the key aim is to avoid 'isolated homes' in the countryside unless there are special circumstances.
- 9.8 Therefore, whilst it is recognised that the proposal does not fall within any of the categories of development acceptable in the open countryside under policy ENV1. It does not follow that this in itself is sufficient grounds to resist the principle of residential development, particularly as there is conflict

between the 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.

- 9.9 With regards to the NPPF and the suitability of the site for development in principle, the site is located on the edge of the existing built up area of Bradley and has pedestrian and vehicle connections to local facilities and services. In addition, the village is serviced by local transport services, albeit limited, which connect with neighbouring villages and towns. The site is therefore considered to be a reasonable sustainable location for residential development.
- 9.10 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.”
- 9.11 In March 2018 the Council submitted the Council’s New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.
- 9.12 Turning to the three dimensions of sustainable development, economic, social and environmental as defined by the NPPF, it is recognised that the proposed development of this site would provide economic benefits associated from the proposed dwellings including the provision of construction jobs and from future residents of the proposed dwellings. In addition, the proposal would provide some social benefits and help to support the vitality of the rural community.
- 9.13 Turning to the environmental dimension of sustainable development the proposal would result in the development of a residential garden. Paragraph 53 of the NPPF states that ‘LPA’s should consider the case of setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area’. In this instance, the Council does not have a policy resisting development of residential gardens. Furthermore, it is considered that this small scale form of development would infill a modest gap between existing buildings resulting in a rounding off of the settlement within a logical boundary.
- 9.14 The emerging Bradley Neighbourhood Plan with regards to housing policy is given very limited weight in the decision making process due to the documents prematurity.
- 9.15 In conclusion, the application site is located outside of development limits and thus lies in the open countryside and therefore represents a departure from the provisions of saved Policy ENV1 of the Local Plan. Nevertheless, the application site is well related to existing services and facilities and would provide a natural rounding off of development. Therefore, it is considered that any adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal.

9.16 Visual impact

- 9.17 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.
- 9.18 CDLP policy ENV2 sets out four criteria for developments in the open countryside. 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.

- 9.19 In addition, 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.
- 9.20 The western boundary of the site would lie adjacent to Hawthorn Park development (ref: 11/2015/16057), the southern boundary adjacent to Holly Tree House and the eastern boundary adjacent to properties on Oak Lea and High Bank. These properties are two storey's, although due to changes in topography properties to the west would be set at a higher level than the application site. In contrast the properties to the south and east would be set lower than the proposed dwellings. Land beyond the northern boundary consists of open agricultural fields.
- 9.21 The proposal is to construct one pair of semi-detached dwellings with attached single garage(s) with off street parking to the front and a detached dwelling with an attached triple garage and associated hard standing. All dwellings would have private rear amenity areas.
- 9.22 The semi-detached dwellings would be constructed on land to the southwest of the site. The proposed dwellings whilst modern in appearance have been designed to blend well with the development approved to the west of the site (ref: 11/2015/16057) and similar dwellings within the village. This is achieved due to the dwellings incorporating the three main factors present within the surrounding dwellings. The proposed dwellings would be of a similar basic form and scale of dwellings to the west and east of the site. In addition, the appearance of the dwellings consists of a single arrangement of openings with a good balance of proportions between the overall shape of the walls and the openings they contain. Furthermore, the dwellings would be constructed using materials from a similar palette of materials used traditionally in the area. It is therefore, considered that the semi-detached dwellings would not result in any visual harm to the surrounding area, and due to the set back from the public highway would not result in any visual harm to the existing street scene.
- 9.23 Turning to the 'L' shaped detached dwelling this would be constructed on the northern part of the site. It is acknowledged that this dwelling is a modern interpretation of some of the buildings located throughout the district. Notwithstanding this, the building has been designed to be sympathetic with its surroundings. The edge of settlement location has resulted in the design of the dwelling emulating the horizontal form of traditional buildings. Furthermore, the irregular roof plans also helps to reduce the overall massing of the building.
- 9.24 Turning to the external appearance, the proposed detached dwelling has incorporated into the overall design some of the detailing present in traditional buildings and the use of traditional material, whilst designing a more modern form of development. Notwithstanding this, it is considered that the proposed dwelling would not result in any visual harm to the surrounding area, nor to the existing street scene.
- 9.25 The proposal would involve the construction of a boundary wall to enclose the amenity areas and also to define to off street parking spaces. The proposal would also provide for enclosed private garden area. It is considered that these elements of the proposal given the small scale nature of these elements combined with the use of traditional materials would not result in any visual harm to the surrounding area or street scene.
- 9.26 In conclusion, the proposed development is considered appropriate and acceptable in terms of design, scale and appearance. The proposal is therefore considered not to conflict with policy ENV2 of the Local Plan, which seeks to ensure that all development respects the character of the surrounding area. The proposal would also not conflict with paragraphs 58 of the NPPF.

9.27 Amenity issues

- 9.28 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”.

- 9.29 In addition, paragraph 123 of the NPPF states that planning decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 9.30 The nearest neighbouring dwellings are located to the west of the site on Hawthorn Park. No 1 is orientated with its rear elevation backing onto the site, whereas no. 2 has a side on relationship with the site.
- 9.31 The semi-detached dwellings have been orientated with the rear elevation facing the rear elevation of No. 1 at a separation distance of approximately 20.5m. Running along the joint boundary is an existing timber fencing measuring approximately 1.8 – 2m in height. It is therefore considered, that the separation distance combined with the existing boundary treatment would ensure that the proposed semi-detached dwellings would not result in any unacceptable loss of privacy. Similarly, the proposal would not result in any unacceptable overshadowing or appear overtly dominant when viewed from the private amenity areas or habitable rooms of this property.
- 9.32 With regards to the potential impact of the development on No. 2 the proposed detached dwelling would see the introduction of two windows at ground floor level to serve the proposed dining area and three windows at first floor level to serve 2no. En-suites and an office area. With regards to the potential impact on privacy at ground floor level it is acknowledged that the separation distance falls below the recommended guidance levels. However, in this instance, due to the changes in levels combined with the existing boundary treatment, it is not considered that the inclusion of windows to serve the proposed dining room would not result in any unacceptable loss of privacy.
- 9.33 Concern has been expressed that the development would appear dominate when viewed from No. 2. Sections submitted show that the proposed ridge height would be 2m lower that the ridge of No. 2. In addition, the angle of the pitch of the new roof would slope away from the boundary with No. 2. Therefore, due to the orientation of No. 2, the separation distance of approximately 17m and the sloping roof of the proposed dwelling that the development when viewed from No. 2 would not appear overtly dominant to warrant a refusal.
- 9.34 With regards to the upper windows, two of the three windows would be obscure glazed thus maintaining the existing privacy levels that the occupants of No. 2 experience. Turning to the window serving the office, it is acknowledged that this window would provide any future occupants the opportunity to look over the rear amenity area of No. 2. However, any overlooking of this area would be at an angle, thus reducing the level of any direct overlooking. Furthermore, this window would be set back approximately 17m from the side elevation of No. 2. It is therefore, considered that the upper window would not result in any unacceptable loss of privacy to warrant a refusal.
- 9.35 The next nearest dwellings are located to the east of the site with rear elevations facing towards the site. To ensure the privacy of High Bank Cottage the side elevation of the detached dwelling with the exception of a window to serve the main bathroom would be devoid of window openings, thus ensuring no unacceptable loss of privacy from this window opening. At ground floor level it is accepted that the proposal would result in an intensified use of the land as any future occupants use the private amenity areas proposed for the detached dwelling. Therefore, to ensure that the development does not result in any unacceptable loss of overlooking between the proposed detached dwelling and High Bank Cottage the proposal would provide a timber fence measuring approximately 1.8m along the joint boundary with these properties. This would be an improvement on the current situation where an open wire and post fence runs along the joint boundary which results in a degree of overlooking between the application site and the rear amenity area of this property. Furthermore, it is considered that the detached dwelling would not appear overtly dominant or result in any unacceptable overshadowing.
- 9.36 With regards to the potential impact on No. 3 High Bank Cottage the orientation of the semi-detached dwelling would result in the main windows facing towards the rear amenity area of this property. However, it is considered that the separation distance in excess of 30m, combined with the proposed fencing would ensure that the occupants of this property do not experience any unacceptable loss of

privacy. Similarly, the proposed semi-detached dwellings would not appear overtly dominant or result in any unacceptable overshadowing given the separation distance and sloping roof pitch.

- 9.37 With regards to concerns over noise nuisance, there is no evidence to suggest that the level of noise, nuisance and disturbance associated with the proposed dwellings would generate significant noise, nuisance or disturbance over and above that of normal family homes. As such, it is not considered that a refusal of the application on this basis could be justified.
- 9.38 Turning to the amenity spaces for future occupiers of the dwelling the proposal has been designed to provide sufficient living accommodation to meet the needs of any future family. In addition, the proposal would provide private amenity areas which are considered adequate for the future occupiers of these dwellings. It is acknowledged, that due to the proposals relationship with adjacent dwellings, that there would be some mutual overlooking between existing properties and the proposed dwellings. However, it is not considered to be so significant to warrant a refusal.
- 9.39 In conclusion.
- 9.40 The proposed dwellings would not result in any harm to the adjacent dwellings in terms of loss of privacy or amenity. In addition, it is considered that the proposal would provide appropriate living conditions for future residents. The proposal is considered not to conflict with the aims and objectives of section 7 of the NPPF which seeks to ensure that all development achieves an adequate level of amenity for existing and future occupants.

9.41 Highway issues

- 9.42 Criterion (3) of CDLP policy EVN2 states that development will only be permitted in the open countryside where “rural access roads can accommodate the traffic likely to be generated by the proposal”.
- 9.43 CDLP policy T2 indicates that development proposals will be permitted provided that they are appropriately related and do not generate volumes of traffic in excess of the capacity of the highway network.
- 9.44 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 costs 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.
- 9.45 The proposal seeks to utilise the existing access off Skipton Road and provide turning areas and off street parking. This is considered sufficient to meet the requirements of saved Policy T2 of the Local Plan.
- 9.46 The local Parish Council have expressed concerns over highway safety and the existing congestion associated with limited off street parking due to parents parking adjacent the site when dropping or collecting up children. It is acknowledged that should the proposal be approved, that this would result in an intensified use of the access. However, NYCC Highways have been consulted and have raised no objection to the proposal subject to the use of appropriate conditions.
- 9.47 In conclusion.
- 9.48 The proposal would not create conditions contrary to highway safety and therefore accords with the requirement of saved Policies ENV2 & T2 of the Local Plan and the guidance contained within paragraph 32 of the NPPF.

9.49 Impact on Trees

- 9.50 The current situation is that a draft Tree Protection Order has been served with regards to the existing trees on the site. Whilst this order has not been confirmed it is considered necessary to assess the impact of the proposal on these trees.
- 9.51 The proposed detached dwelling would be located to the north and west of the protected trees. An Arboricultural Report has been submitted which the Council’s Tree Officer has reviewed. Based on the

information provided the Council's Tree Officer has not objected to the proposal subject to the erection of protective fencing.

9.52 In conclusion.

9.53 The proposed development of this site would not result in any harm or unjustifiable loss of protected trees and therefore accords with the requirements of saved Policy ENV10 of the Local Plan and guidance contained within the NPPF.

9.54 Conclusion;

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

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

specific policies in this Framework indicate development should be restricted.

9.56 In this case the relevant Local Plan policies are out of date and therefore the policy within Paragraph 14 of the NPPF is applicable. Taken overall, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10. Recommendation

10.1 To grant approval subject to the following conditions

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.

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

2. This permission relates to the following plans:

- 799.01(--) 001 Location Plan received by Craven District Council on the 3rd January 2018.
- 799.01(--) 002 Rev I Proposed Site Plan received by Craven District Council on the 18th April 2018.
- 799.01(--) 010 Rev F Proposed detached dwelling received by Craven District Council on 5th January 2018. .
- 799.01(--) 011 Rev D Proposed semi-detached dwellings received by Craven District Council on 5th January 2018.
- 799.01(--) 012 Rev C Site Section received by Craven District Council on 18th April 2018.
- 799.01(--) 013 Proposed Site Section received by Craven District Council on 18th April 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings or where alternative details have been subsequently approved following an application for a non-material amendment.

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.

Pre-commencement

3. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road Skipton Road Bradley from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interest of highway safety and to accord with Saved Policy T2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

4. No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of those trees and hedgerows identified as being retained on drawing no. 799.01(--)002 Rev I. The Construction Exclusion Zone 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 brown dot-and-dash line on drawing no. 799.01(--)002 Rev I. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to these areas of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance with the requirements of Saved Policy ENV10 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

5. No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to :-
- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
 - b) evidence of existing positive drainage to public sewer and the current points of connection; and
 - c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change have been submitted to and approved by the Local Planning Authority .
- Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage

During building works

6. Notwithstanding details shown on the approved plans, no above ground works shall take place until details of the the 1.8 timber fencing to be constructed adjacent to the boundaries have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and retained in accordance with the approved details.

Reason: In the interests of visual and privacy 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.

7. 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 development 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 rural area and the site's surroundings 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.

8. Notwithstanding any details shown on the approved plan, details of the soft landscaping of the site including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

Reason: In the interests of the amenity of the area

Prior to occupation.

9. The dwellings shall not be occupied until the 1.8m timber fencing to be constructed along the eastern boundary has been constructed in accordance with approved details.

Reason: To ensure the privacy of neighbouring properties in accordance with guidance contained within the National Planning Policy Framework.

Ongoing conditions

10. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

11. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2018, or any Order revoking or re-enacting that Order, the areas shown on the approved site plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, or any Order revoking or re-enacting that Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

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

Reason: In the interest of satisfactory and sustainable drainage and in accordance with the National Planning Policy Framework.

Informative

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council

endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

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.

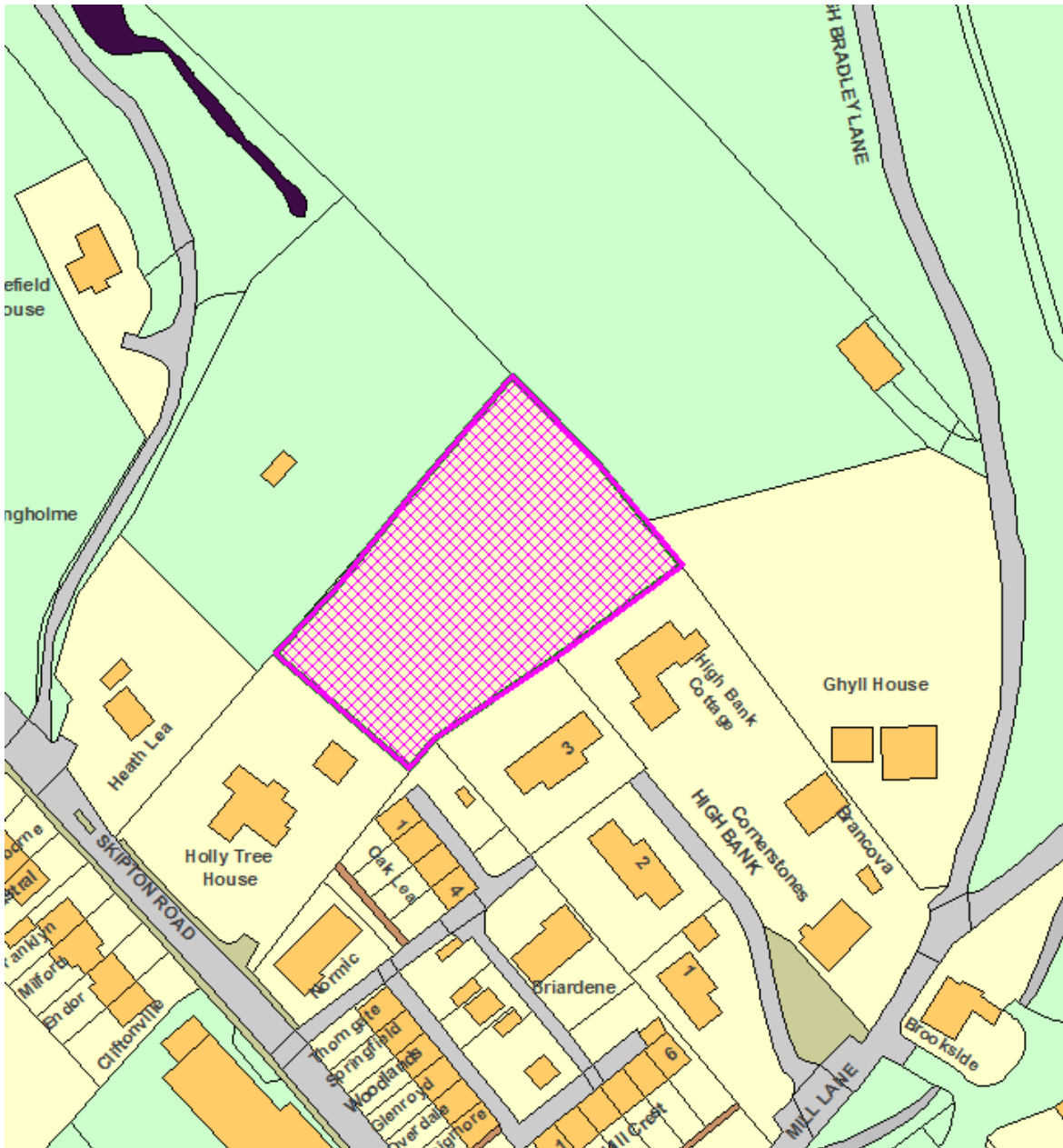
The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

Statement of Positive Engagement: -

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

- requested amended design approaches



Application Number:

2018/18873/FUL

Proposal:

3 no. new dwellings on land associated with an existing property (Holly Tree House). Dwellings proposed are 1no. five bedroom house with an attached 3 car garage and 2no. three bedroom houses with attached single car garages (arranged as a semi-detached unit). Application proposal includes new associated driveways, parking, boundary fences/walls and associated gardens.

Site Address:

Land At Holly Tree House Skipton Road Low Bradley BD20 9EF

On behalf of:

Mr & Mrs Nelson

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number:	2018/18923/OUT
Proposal:	Outline application for up to 28 dwellings with all matters reserved except access
Site Address:	Land Off The A65 Crookrise Skipton
On behalf of:	RN Woolers And Co Ltd
Date Registered:	16th January 2018
Expiry Date:	17th April 2018
Case Officer:	Andrea Muscroft

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 a triangular parcel of land covering approximately 1.26 hectares to the northeast of Skipton. The site currently consists of open grazing land fronting onto the A65 to the north east, the A6131 to the south and a PROW to the north.
- 1.2 Located to the northwest of the site is a residential caravan park and directly to the north of the site is a touring caravan site. To the south beyond the A6131 is a parcel of land that has been granted planning approval for a residential development.
- 1.3 The application site is located outside of the development limits for Skipton as identified on the 1999 Local Plan, and therefore lies in open countryside as defined in the Local Plan.

2. Proposal

- 2.1 The application is submitted in outline and seeks permission for a residential development of up to 28 dwellings including associated infrastructure and off street parking. Access is the only matter applied for at this stage with layout, scale, external appearance and landscaping reserved for later consideration (though indicative details have been submitted as part of the application).
- 2.2 The main vehicle/pedestrian access point is proposed from the A6131 to the southwest of the site. A secondary pedestrian access would be created via the PROW that lies to the north.

3. Planning History

- 3.1 None

4. Planning Policy Background

- 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 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district.

However, the submission draft is considered to be sound and the policies are consistent with the NPPF. The site is identified for allocation as site SK087.

4.3 CDLP

4.4 ENV1 – Development in the Open Countryside

4.5 ENV2 – Requirements for Development in Open Countryside

4.6 SRC2 – Provision of Recreation Space in New Housing Developments

4.7 T2 – Road Hierarchy

4.8 National Policy

4.9 The National Planning Policy Framework – NPPF.

4.10 Planning Practice Guidance – PPG.

4.11 Submitted Craven Local Plan Development March 2018

SD1 – The Presumption in Favour of sustainable development.

SP1 – Meeting Housing Needs.

SP5 – Strategy for Skipton – Tier 1

H2 – Affordable Housing.

5. Parish/Town Council Comments

5.1 **Skipton Town Council:** The committee hope that because this development will be on the junction of two main roads a noise survey will be undertaken.

6. Consultations

6.1 **CDC Contamination Officer:** No known contaminated land implications regarding this proposed development.

6.2 **CDC Environmental Health:** No objection subject to the use of appropriate conditions relating to construction hours, noise nuisance, dust disturbance and the importation of topsoil free from contaminants.

6.3 **CDC Strategic Housing Officer:** The proposal does not include for the provision of any affordable housing. CDC has a 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. Further evidence on need can be found in the form of the Housing Waiting List (North Yorkshire Homechoice) which currently has 470 people registered for affordable housing in the Craven District.

6.4 In December 2017 a report on the revised affordable housing policy H2 local plan alongside a Viability Assessment evidence base report was considered by Policy Committee. The Viability Assessment recommends that 30% affordable housing is comfortably viable on all types of greenfield sites that are likely to come forward in the plan area.

6.5 Initially, Strategic Housing was unable to support the proposal as the development made no reference to the provision of affordable housing. However, the applicant has confirmed that the proposal would provide 30% affordable with the proposed mix consisting of:

- 60% (5 number) 2 bed 70sqm homes
- 20% (2 number) 1 bed 60sqm homes
- 20% (1 number) 3 bed 85sqm homes.

6.6 Subject to the units being fully integrated within the scheme and transferred to a Registered Provider at £1000 per sqm irrespective of tenure then Strategic Housing are supportive of the proposal.

- 6.7 **CDC Sports Development Officer:** The application is considered acceptable in relation to SRC2 subject to a small amount of informal on site open space (1000m2) and an off-site contribution of £100,000 to address the policy requirements for equipped play, youth and adult provision: playing fields and known deficiencies in such provision within the catchment of the scheme.
- 6.8 The provision of POS can therefore be secured by a S106 agreement to cover on-site maintenance and off – site delivery.
- 6.9 **Northern Gas Network:** No comments received within the statutory consultation period.
- 6.10 **NYCC Highways:** No objection subject to the use of appropriate conditions relating to the construction of road and footway, discharge of surface water, construction requirements for private access/verge crossings, location of permanent site construction access, construction of visibility splays, approval of details for site works in the highway, completion of works in the highway, details of acces, turning and parking, precautions to prevent mud on the highway and management of construction traffic.
- 6.11 **NYCC Suds Officer:** No objection subject to the use of appropriate conditions to manage any potential flood risk and drainage issues.
- 6.12 **Yorkshire Water:** Records indicate that a 10” water main and an 8” raw water main crossing the red line site boundary. The presence of these mains my affect the layout of the site and therefore YW object to the development layout as currently shown.
- 6.13 **Officer note:** The submitted layout is for illustrative purposes only and is not for consideration at this stage.
7. Representations
- 7.1 The proposal was advertised on the 15th February 2018 in the Craven Herald with a Site Notice displayed adjacent to the site on the 9th February 2018. In addition, letters of notification where sent out directly to local residents.
- 7.2 As a consequence of the publicity one letter of objection was received from the Skipton Civic Society.
- 7.3 Comments have been summarised below:
- 7.4 Local & National Policy.
- Proposal conflicts with local plan.
- 7.5 Visual Impact
- Loss of green space.
- 7.6 Amenity
- Increased noise nuisance.
- 7.7 Highway issues.
- No footway on the side of the site and therefore concern over the safe crossing of pedestrians of The Bailey to the site.
- 7.8 Other issues.
- Information missing from plans.
 - Increased air pollution.
 - Doesn't appear to provide 30% affordable housing.
- 7.9 A representation was also received from the Police Designing Out Crime Officer who raised no objection to the proposal but did offer advice on the development of the site.

8. Summary of Principal Planning 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. Affordable housing contribution.
3. Open space contribution.
4. The development’s impact on the character and appearance of the area.
5. The development’s impact on the amenity of surrounding occupiers.
6. The developments impact on highway safety.

9. Analysis

9.1 The application is submitted in outline with matters of access having been applied for at this stage. Therefore, if approved the only matters which would be fixed as part of this application would be (1) the number of dwellings (2) the means of access to the site. The scale, appearance, layout and landscaping are reserved for future consideration and do not form part of this application.

9.2 **Policy context.**

9.3 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the NPPF make clear that development proposals are to be determined in accordance with the development plan unless material considerations indicate otherwise. At the present time, 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’). It is this plan, along with the NPPF, that provide the prevailing policy context under which the application is to be assessed.

9.4 **Principle of development.**

9.5 The application site lies outside of the development limits defined on the 1999 Local Plan and, accordingly, is within the open countryside. As such, saved Policy ENV1 is of relevance. This policy seeks to protect the character and quality of the open countryside and prevent it from being spoilt by sporadic development.

9.6 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.

9.7 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.

9.8 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”, with paragraph 29 of the Framework also recognising that “opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”

- 9.9 The proposal does not fall comfortably into any of the categories of development permissible within the open countryside as 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.
- 9.10 Paragraph 55 of the NPPF states that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.”
- 9.11 The application site lies to the north eastern edge of Skipton with a 20 pitch touring caravan park (ref: 63/2015/16036) to the north, a residential caravan park to the west (Overadale) and to the south beyond the A65 an approval for residential development of up to 140 dwellings (ref: 2017/18237/Out). The application site is considered to be within walking/cycling distance from the centre of Skipton which has a wide range of services and facilities available. In terms of public transport, there are two bus stops to the west of the site, connecting the site with neighbouring villages and town. In addition, other bus stops located within the centre of Skipton offer services with a greater frequency. In addition, there is a railway station providing connections to nearby and further afield destinations. It is therefore, considered that the development would not result in the introduction of isolated homes in the countryside for the purposes of the NPPF.
- 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 In March 2018 the Council submitted the Council’s New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.
- 9.15 The proposal is consistent with the development principles set out for SK087 under draft Policy SP5; Strategy for Skipton Tier 1 of the ELP.
- 9.16 In conclusion, the site is located within an area of open countryside and the proposal represents a departure from the provisions of policy ENV1 of the LP. However, the site would occupy an edge of settlement location which is well related to existing services and facilities, with employment and public transport in Skipton and thus would not result in the introduction of isolated homes in the countryside. In this instance, 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.

9.17 Affordable housing contribution.

9.18 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.

9.19 There is no adopted policy in the CDLP relating to the provision of affordable housing. However, policy H2 of the ELP seeks affordable housing at a minimum rate of 30% for schemes of 11 dwellings or more.

9.20 Despite the absence of an adopted Local Plan policy concerning the provision of affordable housing and the 'limited weight' which can be attached to ELP policy H2, the delivery of affordable housing is an objective of the NPPF and so is a material consideration which must be given significant weight.

9.21 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.

9.22 Therefore, it is considered that a requirement of 30% of the dwellings to be provided as affordable housing is justified. The applicant via the agent 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%. Details concerning size, mix and tenure of the affordable units cannot be established at this stage (with access having only been applied for), should all the 28 dwelling be brought forward at reserved matters this would result in the provision of 8 affordable homes to meet the definition of the NPPF. The provision of 30% affordable housing is a substantial social benefit which weighs heavily in favour of the proposal. If approved the delivery of affordable housing is to be secured through a planning obligation as set out in the resolution below.

9.23 Open space

9.24 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.

9.25 The site provides two open spaces which are considered amenity greenspaces rather than green corridors and would provide a useful right of way link from the scheme to the PROW that runs along the northern boundary. The Council's Sports Development Officer has reviewed the information and confirms that no formal on site play provision would be required. However, the applicant has indicated that they will meet the requirements of SRC2 with a mixture of on-site space and off site contribution by way of a S106 planning gain agreement.

9.26 The on-site open space is around 1000m² of informal recreation space, which is likely to meet the children's informal recreational space policy requirements. With regards to the Equipped Children's play space and Youth and Adult play and recreation space this would be met off site.

9.27 The SRC2 policy calculates for 28 units:

- 189m² Children's Equipped play areas (£21,641).
- 1134m² Youth and Adult play space (86,184).

9.28 However, as the application is in outline and layout has not been applied for at this stage, the provisions of greenspaces can be controlled through condition. The payment of the relevant off-site financial contributions as outlined above, will need to be secured through a planning obligation as set out in the resolution below.

9.29 **Visual impact.**

- 9.30 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.
- 9.31 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.
- 9.32 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.
- 9.33 The application site currently comprises of open grassed land flanked by a PROW to the north, and a bank of trees and shrubs along the southern and eastern boundaries. To the west of the site is an established residential caravan park and to the south west beyond the A65 is an established residential area consisting of two and single storey dwellings of differing appearances.
- 9.34 The indicative proposed site plan shows that the majority of housing would be focused around the central road of the site with a smaller pocket of development forming a cul-de-sac to the west of the main vehicle access. In addition, indicative plans show that proposed dwellings would be complimentary to the character and appearance of the surrounding area.
- 9.35 The indicative proposed site plan also shows the retention of the existing trees and shrubs along the south and eastern boundaries with the exception of those trees/shrubs to be removed to provide the access into the site.
- 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 indicative proposed site plan, such a scheme shall include further planting along the boundaries 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 In conclusion, it is considered that proposal to develop this parcel of land for housing is acceptable and could be developed in such a way that it would visually relate to the existing character of the area. Furthermore, any potential landscaping, once matured, would ensure attractive and pleasing residential development with limited visual impact.

9.38 **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 dwellings are located to north within Overdale Park and to the south on Greenacres, Long Meadow, Clover Hill, Haw Bank Court and Regent Drive. 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.
- 9.41 In conclusion, it is considered that there is no reason why a scheme could not be produced that provides adequate spacing within the layout and neighbouring properties to meet acceptable amenity and separation standards for privacy and light.

9.42 Impact of development on highway network.

- 9.43 Saved Local Plan Policies ENV2 and T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.44 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- 9.45 Paragraph 32 of the NPPF states that:
‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’.
- 9.46 Vehicle access is to be gained via a single point directly off the A6131 to the west of the site. A section of the existing boundary treatments would be removed to create visibility splays of 120m by 2.4m westerly and 150m by 2.4 m easterly. The proposal would create a pedestrian footpath to the west of the site and through the site, connecting up with an existing PROW that runs along the northern boundary.
- 9.47 The Local Highway Authority have raised no objections to the proposed means of access to the site subject to conditions being imposed.
- 9.48 Given the above, it is considered that the proposed access arrangements would provide a safe and suitable means of access to the site for vehicles and pedestrians. Appropriate conditions if approved should be imposed relating to the construction of the access, the provision of the shared footpath and associated off-site highway works as recommended by the Local Highway Authority.
- 9.49 A minimum of 28 off-street car parking spaces (including garages) would be provided as part of the development. The Local Highway Authority considers the level of parking provision to be sufficient. A condition should be imposed requiring the parking spaces for each dwelling to be retained for their intended use if approved.
- 9.50 In conclusion, the proposal would not create conditions contrary to highway safety. The proposal therefore, accords with the requirements of Saved Policy T2 of the Local Plan and guidance contained within the NPPF.
- 9.51 **Other issues.**
- 9.52 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”.

9.53 Gas pipe

9.54 The site is crossed by a high pressure gas pipeline maintained by Northern Gas Networks (NGN). 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. No comments have been received with regards to this proposal. Notwithstanding this, it is considered that a condition requiring a scheme with appropriate standoff from the pipeline could be imposed. Accordingly, there is no conflict with the requirements of paragraphs 172 and 194 of the NPPF in this regard.

9.55 SUDS

9.56 The LLFA have commented on the outline surface water drainage strategy submitted in connection with the FRA. The LLFA have been consulted and have indicated that conditions should be imposed to any permission granted requiring the submission of a scheme for the drainage design, runoff rate and storage requirements, maintenance and exceedance flow rates. Appropriate conditions have been imposed in this regard.

9.57 While YW have objected to the proposal due to the potential proximity of the proposed dwellings and their garden areas to two water mains crossing the site. It is considered 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).

9.58 Conclusion.

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

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.

9.60 In this case it is accepted that the proposal would have some visual impact on the rural character of the area. However, this impact does not significantly and demonstrably outweigh the benefits provided by the proposal in terms of boosting the supply of housing and the provision of both economic and social benefits and is therefore considered acceptable

10. Recommendation

10.1 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:

- 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.
- A financial contribution of £100,000 towards the off-site provision of public open space and on-site maintenance.

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

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:

- Location 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 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 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) One main water and one main raw water pipe 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.

6. 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.GA11 Rev A), along with associated seating, signage, litter bins and interpretation boards.

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 in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy SRC2, policy SP5 of the Submission Draft Craven Local Plan, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2010

7. 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. GA11 Rev A flanking the A65, A6131 and PROW to the north 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) 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 the National Planning Policy Framework.

8. Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

9. Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 5 litres per second for up to the 1 in 100 year event. A 40% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.

10. No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system.

11. No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site.

12. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

Detailed engineering drawings to a scale of not less than 1:250 and based upon an accurate survey showing:

- the proposed highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway, and verges
- visibility splays
- the proposed buildings and site layout, including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging.

Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- the existing ground level
- the proposed road channel and centre line levels
- full details of surface water drainage proposals.

c. Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths

- when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
- kerb and edging construction details
- typical drainage construction details.

d. Details of the method and means of surface water disposal.

e. Details of all proposed street lighting.

Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

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

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

13. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason: In the interests of highway safety and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

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

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

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

17. There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es)

extending 20 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number E6 and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

18. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 120 metres westerly and 150 metres easterly measured along both channel lines of the major road A6131 from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

19. There shall be no access or egress by any vehicles between the highway or proposed highway (estate road) and the proposed vehicular access (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework

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

The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:

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

The required highway improvements shall include:

- a. Provision of tactile paving
- b. Provision of 2m wide footway to the site from junction Overdale Park; amendments to white lining on A6131The Bailey

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway users and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

21. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- 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.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

22. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework

23. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
 - e. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. HGV routing to avoid Skipton High Street

Reason: In the interest of highway safety and to accord with Saved Policy T2 of Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

During building works

24. 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 development 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 conservation area and the site's surroundings 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.

25. During construction works there shall be no:
- a. Light Goods Vehicles exceeding 3.5 tonnes
 - b. Medium Goods Vehicles up to 7.5 tonnes
 - c. Heavy Goods Vehicles exceeding 7.5 tonnes permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time, except between the hours of 07:30 to 17:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays.

Reason: To avoid conflict with vulnerable road users.

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

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
- c. the approved areas shall be kept available for their intended use at all times that construction works are in operation.

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

27. Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.

Reason: In the interests of highway safety and the general amenity of the area.

Prior to occupation

28. No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

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

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

a. have been constructed in accordance with the submitted drawing (Ref: Proposed Site Plan)

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

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

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

Ongoing conditions

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Informatives

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.

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

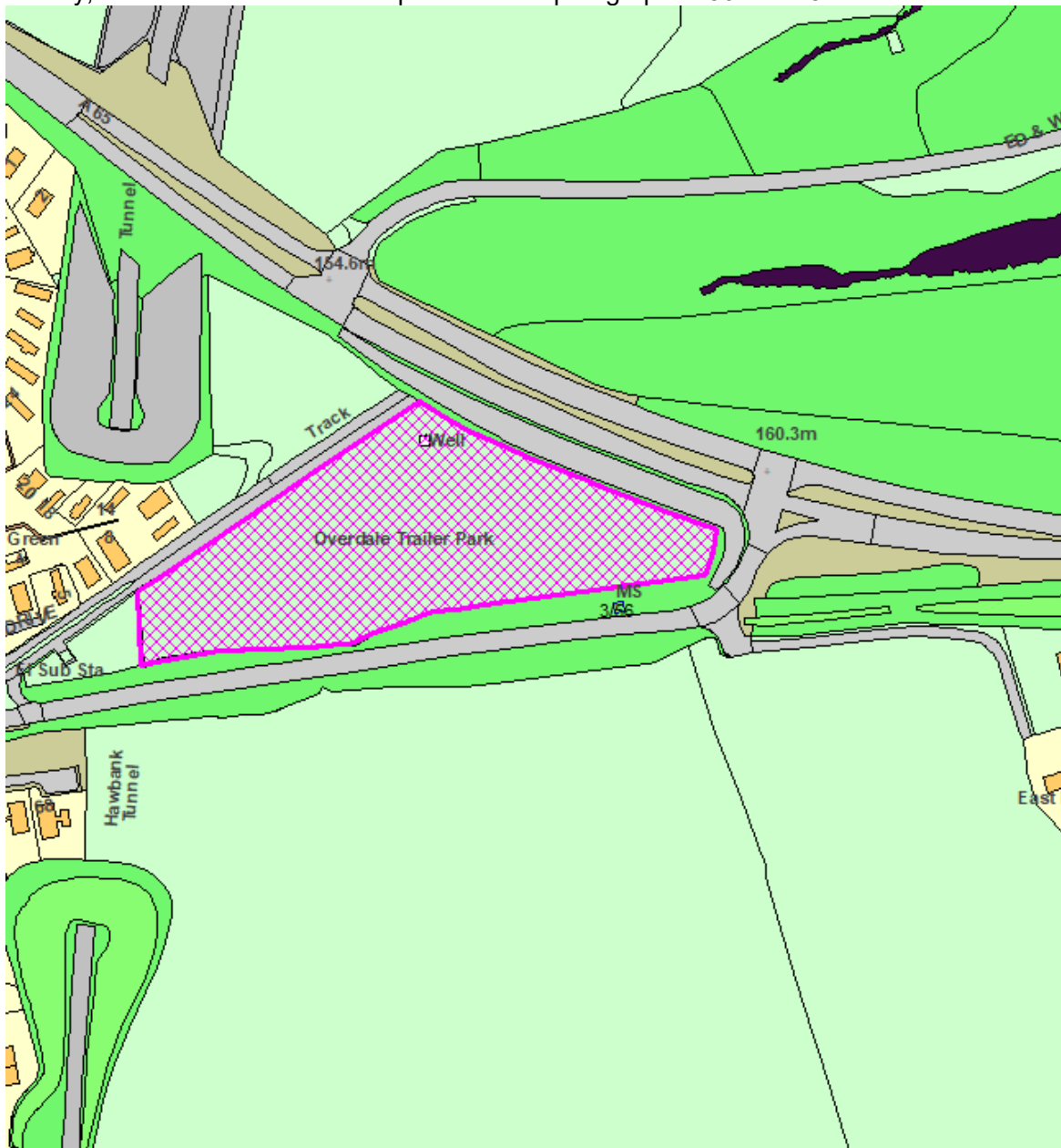
The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

The 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/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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.



Application Number: 2018/18923/OUT

Proposal: Outline application for up to 28 dwellings with all matters reserved except access

Site Address: Land Off The A65 Crookrise Skipton

On behalf of: RN Woolers And Co Ltd

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18981/OUT

Proposal: Outline application for development of ten dwellings with landscaping as a reserved matter.

Site Address: Land South Of Bentham Road Ingleton

On behalf of: Mr J Kidd

Date Registered: 6th February 2018

Expiry Date: 8th May 2018

Case Officer: Andrea Muscroft

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 a triangular parcel of land extending approximately 0.36 hectares in an area located to the south of Bentham Road, Ingleton. The site comprises of open grazing land with residential dwellings to the east, west and north of the site.
- 1.2 The site is divided from agricultural land to the south by an existing stone boundary wall with the northern boundary consisting of a stone wall fronting onto Bentham Road.
- 1.3 The application site is located outside of but adjacent to the development limits of Ingleton as defined on the 1999 Local Plan, and therefore lies in open countryside. The site has also been identified as being within Flood Zone 2 & 3 by the Environment Agency.
- 1.4 The site also lies within Low Risk Area for development by the Coal Authority.

2. Proposal

- 2.1 The proposal is seeking outline consent for a residential development consisting of 10 dwellings. Access, layout, scale and appearance are applied for at this stage, with landscaping being reserved for later consideration.
- 2.2 The proposed development includes a single vehicle access point onto Bentham Road which would be located to the west of the site. The dwellings would be organised into three groups flanking the north, east and south of the site. Each of the proposed dwellings would also direct pedestrian access onto a proposed footpath.
- 2.3 The proposed dwellings would consist of the following:
Plots 1 – 4
- 2.4 Two storey x 3 bedroom semi-detached dwellings. Plots 1 – 3 would have attached single garages and one off street parking space. Plot 4 would have two off street parking spaces.
Plot 5
- 2.5 Two storey x 2 bedroom end of terrace dwelling with two off street parking spaces.

Plot 6

- 2.6 Two storey x 1 bedroom mid terrace dwelling with two off street parking spaces.

Plot 7

- 2.7 Two storey x 2 bedroom end of terrace dwellings with attached single garage.

Plot 8

- 2.8 Two storey x 3 bedroom end terrace dwelling. Plot 8 would benefit from an attached single garage and one off street parking space.

Plot 9

- 2.9 Two storey x 3 bedroom mid terrace dwelling. Plot 9 would have two off street parking spaces.

Plot 10

- 2.10 Two storey x 3 bedroom end terrace dwelling with attached two storey side extension to provide single garage. The plot would also have a single off street parking space.

- 2.11 The proposal would also provide a visitor parking bay.

- 2.12 The existing stone wall fronting onto Bentham Road would be retained with the exception of four sections being removed to create pedestrian access onto proposed footpath. Internally, the plot boundaries would consist of stone walls and timber fencing

3. Planning History

- 3.1 None.

4. Planning Policy Background

- 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 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.

4.3 CDLP

- ENV1 – Development in the Open Countryside
- ENV2 – Requirements for Development in the Open Countryside.
- H12 – Affordable Housing for local people on exception sites.
- SRC12 – Protection of Public Rights of Way.
- T2 – Road Hierarchy

4.4 Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP)

- SD1 – The Presumption in favour of Sustainable Development.
- SD2 – Meeting the challenge of climate change.
- SP1 – Meeting Housing Need.
- SP4 – Spatial Strategy and Housing Growth.
- SP11 – Strategy for Tier 4A & 4B villages with basic services and bisected villages with basic services.

- ENV12 – Footpaths, Bridleways, Byways and Cycle Routes.
 - INF4 – Parking Provision.
- 4.5 National Policy
- 4.6 The National Planning Policy Framework – (NPPF)
- 4.7 Planning Practice Guidance (PPG).
5. Parish/Town Council Comments
- 5.1 Ingleton Parish Council: No comments received within the statutory consultation period.
6. Consultations
- 6.1 **CDC Environment Health:** No comments received within the statutory consultation period.
- 6.2 **CDC Strategic Housing Officer:** Details submitted indicate that 3 of the dwellings would be affordable. Craven has a need of 126 affordable homes according to the November 2017 SHMA. National Planning Policy states that in designated rural areas (which Ingleton is) that on between 6-10 units and over 1000sqm in size that tariff style affordable housing obligations should be sought. Therefore an off-site contribution would be required in lieu of an on-site provision.
- 6.3 **Environment Agency:** No objection. It is considered that the proposed development would only meet the requirements of the NPPF if the development is carried out in accordance with the FRA.
- 6.4 **NYCC Highways:** No objection subject to appropriate conditions imposed with regards to the submission of detailed plans of road and footway layout, construction of roads and footway prior to occupation, construction of private access/verge crossings, construction of visibility splays, approval of site works in the highway, requiring the completion of works in the highway prior to occupation, the provision of approved access, turning and parking areas, the retention of garages and submission of construction management plan.
- 6.5 **NYCC Suds:** No objections subject to appropriate conditions imposed with regards to disposal of four and surface water, a submission of a scheme demonstrating restricting the rate of development flow runoff, treatment of surface water, submission of an exceedance flow plan and maintenance plan.
- 6.6 **United Utilities:** No objection subject to appropriate conditions imposed with regards to foul and surface water drained on separate systems and the submission of a surface water drainage scheme.
7. Representations
- 7.1 The proposal was advertised on the 22nd February 2018 in the Craven Herald with a site notice posted adjacent to the site on the 23rd February 2018. In addition, letters of notification were sent out directly to local residents.
- 7.2 As a consequence of the publicity 19 letters of objection were received.
- 7.3 Comments have been summarised below:
- 7.4 National & Local Policy
- Conflicts with local plan.
- 7.5 Visual impact
- Proposal would be out of character with the area.
 - Over development of the site.
 - Development too high.
 - Concern over the loss of this unique field.
- 7.6 Amenity issues
- Close to adjoining properties.

- Concern over potential noise nuisance.
- Loss of privacy.
- Loss of light.

7.7 Highway issues

- Inadequate access.
- Inadequate public transport provisions.
- Increase in traffic.
- Loss of on street parking.
- Concern that the proposed footpath would impact on highway safety.

7.8 Flooding.

- Increased danger of flooding.

7.9 Other issues

- Concern over the potential effect on local ecology
- General dislike of proposal.
- Increase in pollution.
- Not enough information provided with application.
- Strain on existing community facilities.
- Concern over impact on tourism.
- More open space needed on development.

8. Summary of Principal Planning 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. Affordable housing contribution.
3. The development’s impact on the character and appearance of the area.
4. The development’s impact on the amenity of surrounding occupiers.
5. The developments impact on highway safety.
6. The development’s impact on flood risk.
7. The developments impact on local wildlife.

9. Analysis

9.1 The application is submitted in outline with matters of access, scale, appearance and layout having been applied for at this stage. Therefore, if approved the only matters which would be fixed as part of this application would be (1) the number of dwellings (2) the means of access to the site, (3) the layout (4) the scale and appearance of the dwellings. Landscaping is reserved for future consideration and does not form part of this application.

9.2 **Policy context**

9.3 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the NPPF make clear that development proposals are to be determined in accordance with the development plan unless material considerations indicate otherwise. At the present time, 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'). It is this plan, along with the NPPF, that provide the prevailing policy context under which the application is to be assessed.

9.4 **Principle of development.**

9.5 The application site lies outside but adjacent to the development limits as defined on the 1999 Local Plan and, accordingly, is within the open countryside. As such, saved Policy ENV1 is of relevance. This policy seeks to protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development.

9.6 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.

9.7 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.

9.8 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", with paragraph 29 of the Framework also recognising that "opportunities to maximise sustainable transport solutions will vary from urban to rural areas."

9.9 The proposal does not fall comfortably into any of the categories of development permissible within the open countryside as 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.

9.10 Paragraph 55 of the NPPF states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances."

9.11 Objections have been received raising concerns that the existing infrastructure is unable to support further development in the village of Ingleton.

9.12 The application site is located adjacent to existing residential development and would be within walking/cycling distance of the centre of Ingleton which provides a range of services and facilities that would serve any future occupants on a day to day basis. Furthermore, the proposed footpath would

encourage future occupants to travel on foot to and from the centre of Ingleton. In addition, a bus service connects Ingleton with neighbouring towns and villages at regular intervals with a bus stop within close proximity to the application site. It is therefore considered that the application site would have a functional relationship with Ingleton and would not appear detached from the main settlement or appear as sporadic sprawling form of development. As such, the development would not introduce isolated dwellings into the countryside for the purposes of the NPPF.

- 9.13 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.”
- 9.14 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.”
- 9.15 In March 2018 the Council submitted the Council’s New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not a reason by itself to justify refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.
- 9.16 Turning to the three dimensions to sustainable development, economic, social and environmental as defined by the NPPF, the proposed development of this site would provide economic benefits associated from new housing development including the provision of construction jobs and from future residents of the proposed dwellings. In addition, the proposal would provide some social benefits and help to support the vitality of the rural community.
- 9.17 Nevertheless, when considering the proposal against the environment dimension the proposal would result in the development of an agricultural field. However, the application site lies within close proximity to existing dwellings and the A65, and combined with the topography has limited scenic quality. Notwithstanding this, the proposed development would result in an evident change to the landscape, especially when viewed from the A65 and when travelling along Bentham Road and would result in the urbanisation of the land and reduce its openness. However, on balance, given its relatively low lying topography and position adjacent to Bentham Road and the A65, the surrounding development and the natural boundary to the site that the proposal would not have a serious and harmful impact on the environmental dimension of sustainable development with regards to the impact on the landscape character of the area.
- 9.18 In conclusion, the application site is located in the open countryside and the proposal does represent a departure from the provisions of saved Policy ENV1 of the Local Plan. Nevertheless, the development would be located on within close proximity to existing residential dwellings, and would be of a scale form of development that would contribute to the regions housing needs. The site is reasonably well related to existing services and facilities in Ingleton with public transport links to neighbouring villages and towns.
- 9.19 Therefore, whilst the proposal is considered acceptable in principle the key test is whether the development would cause harm to the character of the local area which will be considered within the report.
- 9.20 **Affordable Housing Provision.**
- 9.21 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.

- 9.22 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.
- 9.23 Despite the absence of an adopted Local Plan policy concerning the provision of affordable housing and the 'limited weight' which can be attached to ELP policy H2, the delivery of affordable housing is an objective of the NPPF and so is a material consideration which must be given significant weight.
- 9.24 The applicant has identified that 3 of the proposed dwellings would be affordable homes to the northeast of the site. These would comprise of a mixture of 2 bed dwellings and a single bed dwelling. The Council's Strategic Housing Service have identified the need for 126 affordable homes within the District each year, according to the November 2017 SHMA. National Planning Policy states that in designated rural areas (which Ingleton is) that on sites between 6-10 units and over 1000sqm in size that a tariff style affordable housing obligations should only be sought. Therefore an off-site contribution would be required in compliance with the Written Ministerial Statement 2014.
- 9.25 In conclusion, it is considered that the delivery of affordable contribution can be secured through a planning obligation as set out in the resolution below.
- 9.26 **Visual impact of development.**
- 9.27 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.
- 9.28 CDLP policy ENV2 sets out four criteria for developments in the open countryside. The policy seeks to ensure that development is:
- 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.
- 9.29 In addition, paragraph 58 of the NPPF sets out six principles that developments should follow in order to achieve good design. 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.
- 9.30 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".
- 9.31 The far western corner of the site would lie adjacent to Barnold a detached residential dwelling and the eastern boundary adjacent to Highwood Cottage. These properties are two storey. The northern boundary fronts onto Bentham Road with residential properties beyond. These properties consist of both two storey and single storey properties. In contrast, the remaining western boundary and southern boundary would be viewed against the backdrop of open fields, separated by a dry stone wall. As such,

the application site does make a contribution to the character of the landscape on the periphery of the settlement.

- 9.32 The proposed 10 dwelling development includes the introduction of stone walls to enclose for the majority front amenity areas associated with the dwellings. This approach reflects existing boundary treatments present within the surrounding area. In addition, the proposal would also see the introduction of timber post and wire fencing to separate the rear amenity areas. Whilst, landscaping is a reserved matter, it is considered that appropriate landscaping would help to mitigate any visual impact of the development.
- 9.33 The proposed dwellings would comprise of two storey dwellings with plots 1, 2, 3, 8 & 10 also benefiting from an attached single garage. The proposed dwellings have been laid out into three separate groups with spacing between each grouping. The scale of the proposed dwellings would be of a similar scale to the majority of neighbouring dwellings. In addition, the overall appearances of the dwellings have been designed to reflect both the detailing and simple form present both in adjacent dwellings and in the surrounding area. Therefore, whilst the development is a modern interpretation of the surrounding traditional dwellings, it is considered that the proposal would blend successfully with the existing dwellings through the incorporation of details and form present within the surrounding area.
- 9.34 Furthermore, the proposal seeks to use materials sympathetic to the locality which would further ensure that the development blends well with the character of the area and would not result in any visual harm to the existing street scene.
- 9.35 To facilitate the proposal, sections of the existing boundary wall would be removed to provide pedestrian access to the proposed footpath. It is accepted that this element of the proposal would have a material visual impact on the existing street scene. However, it is considered that these minor alterations would not adversely impact on the existing street scene to the extent that planning permission should be refused.
- 9.36 Within the application site the proposal would see the construction of footpaths, shared grassed amenity spaces and hardstanding to the parking and turning areas. It is not considered that these elements of the proposal would result in any visual harm.
- 9.37 In conclusion, the proposed detached dwelling and garage are considered appropriate and acceptable in terms of design, scale and appearance. The proposal is therefore considered not to conflict with policy ENV2 of the Local Plan, which seeks to ensure that all development respects the character of the surrounding area. The proposal would also not conflict with paragraphs 17 and 58 of the NPPF.
- 9.38 Impact of development on the amenity of neighbouring properties.**
- 9.39 There are no saved LP policies setting out specific criteria for residential development outside of development limits with respect to the effects on the amenity of neighbouring occupants. Nevertheless, paragraph 17 of the NPPF states that one of the core planning principles is to secure a good standard of amenity for all existing and future occupants.
- 9.40 The nearest group of dwellings to the application site are located to the north of Bentham Road at a separation distance of between approximately 19 >21m. The proposed dwellings would see the introduction of windows at ground floor level to serve the sitting room and bedroom at first floor level facing across to the principle windows of these properties. Notwithstanding that the separation distance in some instances is below the minimum recommended distance, it is considered that on balance the separation distances are sufficient to ensure no unacceptable loss of privacy to the occupants of these dwellings. In addition, given the location and separation distance the proposed dwellings would not result in any unacceptable overshadowing to the habitable rooms or private amenity areas associated with these dwellings. Similarly, it is not considered given the separation distance that when viewed from the habitable rooms of these properties that the proposed dwellings would appear overtly dominant.
- 9.41 The next nearest dwelling is Barnold located to the west of the site at a separation distance of approximately 17 m. This property would have a side to side relationship with plot 1. To ensure the privacy of this property the side elevation would remain blank. Similarly, due to the orientation of plot 1

the proposal would not appear overbearing when viewed from the habitable or privacy amenity areas associated with this property nor would there be any unacceptable overshadowing.

- 9.42 It is acknowledged that due to the orientation of plots 10 & 9 that these dwellings would result in some distance views of the rear amenity and habitable rooms of Barnold. However, it is considered that the separation distance is sufficient to ensure that the occupants of this property do not experience any unacceptable loss of privacy.
- 9.43 The next nearest dwelling to the application site is Highwood Cottage located to the east of the site at a separation distance of approximately 21m. It is acknowledged that whilst plot 4 would have a side to side relationship with this property, devoid of window openings, plots 5 to 7 would see the introduction of windows facing towards the side and rear amenity areas associated with this dwelling. Notwithstanding this, it is considered that the separation distance is sufficient to ensure no unacceptable loss of privacy would occur from the proposal. Similarly, due to the separation distance and the location of the proposed dwellings the development would not appear overtly dominant or result in any unacceptable overshadowing.
- 9.44 With regards to concerns over noise nuisance, there is no evidence to suggest that the level of noise, nuisance and disturbance associated with the proposed dwellings would generate significant noise, nuisance or disturbance over and above that of a normally family home. As such, it is not considered that a refusal of the application on this basis could be justified.
- 9.45 With regards to the amenity and privacy provide to the future occupants of the proposed dwellings it is considered that there is sufficient space between existing dwelling and proposed dwellings to ensure no unacceptable loss of privacy. In addition, the proposed living space and outside amenity area is considered sufficient to meet the needs of any future occupant of the dwellings.
- 9.46 In conclusion, the proposal would not give rise to any unacceptable loss of privacy or amenity of existing or future residential occupants. The proposal therefore, accords with the requirements of the NPPF.

9.47 Highways

- 9.48 Saved T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.49 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- 9.50 Paragraph 32 of the NPPF states that:
'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 9.51 Vehicle access to the site is to be gained directly off Bentham Road. To facilitate this element of the proposal a section of the boundary wall would be removed with the remaining wall being repositioned to create visibility splays of 2.4m x 60m in both direction.
- 9.52 The Local Highway Authority has raised no objections to the proposed means of access to the site subject to conditions requiring adequate visibility splays with the existing highway.
- 9.53 Given the above, it is considered that the proposed access arrangements would provide a safe and suitable means of access to the site for vehicles. Appropriate conditions if approved should be imposed relating to the construction of the access, the provision of the shared footpath and associated off-site highway works as recommended by the Local Highway Authority.
- 9.54 A total of 20 off-street car parking spaces (including garages and visitors parking space) would be provided as part of the development. The Local Highway Authority considers the level of parking

provision to be sufficient. A condition should be imposed requiring the parking spaces for each dwelling to be retained for their intended use if approved.

9.55 In conclusion, the proposal would not create conditions contrary to highway safety. The proposal therefore, accords with the requirements of Saved Policy T2 of the Local Plan and guidance contained within the NPPF.

9.56 Flooding

9.57 Paragraph 100 of the NPPF states that “inappropriate development in areas at risk of flooding (and 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 necessary, making it safe without increasing flood risk elsewhere. The aim of the Sequential Test as set out at paragraph 101 of the Framework is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available site appropriate for the proposed development in areas with a lower probability of flooding.

9.58 The Craven District Council Development and Flood Risk Guidance Note (April 2011) sets out how national policy in respect of the Sequential Test for flood risk should be applied in Craven.

9.59 The application site is located in Zone 2 (medium probability), Zone 3 and Zone 3a (high probability) of flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy Report produced by KRS Environmental Ltd dated January 2018.

9.60 The submitted report states that flooding sources will be managed and mitigated on the site by using a number of techniques, and mitigation strategies to manage and reduce the overall flood risk at the site. The measured used:

- The dwellings are situated on the situated on the higher part of the site at a lower risk of flooding.
- Finished floor levels would be constructed 300mm above the 1 in 200 year water level for Jenkin Brook. In addition, it is recommended that occupants of the proposed dwellings sign up to receive flood warnings from the EA and implement flood evacuation plan to a safe area way from the buildings.
- Buildings would be constructed with flood risk mitigation measures to help resist floodwaters entering a property.

9.61 The submitted document concludes that the residential development would be expected to remain dry in all but extreme conditions. Providing the recommendations made in the FRA are instigated, flood risk from all sources would be minimised, the consequences of flooding are acceptable, and the development would be in accordance with the requirements of the NPPF. The proposed development would also not increase flood risk elsewhere.

9.62 The Council has undertaken a sequential test approach when considering potential sites for residential development. As a consequence, applicant’s need to demonstrate that there are no alternative sites ‘reasonably available’. The submitted FRA states that this is the only site in the ownership of the client and therefore the only site available to them to develop. The cost of buying a similar site and the cost to construct a similar development would make the proposal uneconomical. Therefore, the proposal cannot be located in another site elsewhere. In conclusion, there are no ‘reasonably available’ alternative sites identified within the sites identified for residential use within the Ingleton area. The sites are already developed and are not available to construct the site proposal.

9.63 This conflicts with the Council’s sequential test which has identified a number of suitable alternative sites in Ingleton that are located outside of the flood zone and could be potentially developed. On this basis it is not considered that the Sequential Test has been passed satisfactory and therefore the development is not compliant with the NPPF.

- 9.64 The next stage is to apply the Exception Test. For the test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, and that the development would be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk overall and where possible, would reduce flood risk overall. Both elements of the test will need to have passed for development to be permitted as per outlined in paragraph 102 the NPPF.
- 9.65 Guidance set out in PPG under the heading 'Manage and mitigate flood risk' advises that 'where development needs to be locations where there is a risk of flooding as alternative sites are not available, LPA's and developers should ensure development is appropriately flood resilient and resistant, safe for its users for the developments lifetime, and would not increase flood risk overall.
- 9.66 In this instance, the site lies within flood zones 2 & 3a. The flood mapping provided by the EA shows that the site lies for the majority in Z2. With the exception of plots 5, 6 & 7 which would be located within FZ3.
- 9.67 In section 10.6 of the submitted FRA the document outlines the risk management for the site and concludes with the statement that the development would be safe for its lifetime without increasing flood risk elsewhere. The EA have been consulted and state that the proposed development of this site would meet the requirements of the NPPF if the development is carried out in accordance with the submitted FRA.
- 9.68 In conclusion, it is considered that the proposal would provide wider sustainability benefits to the local community and would be appropriately flood resilient and resistant, safe for its users for the developments lifetime, and would not increase flood risk overall. The proposal therefore meets the requirements of paragraph 103 of the NPPF.

Ecology

- 9.69 Local residents have raised concerns over the potential impact of the development on the local ecology.
- 9.70 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.
- 9.71 It is acknowledged that the development would result in the loss of an area of agricultural land, sited in a rural setting. However, it is considered that it is unlikely to result in any unacceptable or adverse impacts upon the locale ecological habitats.

9.72 Other

- 9.73 It is acknowledged that tourism is important to the national economy and that visitor's help support the local rural economy. In regards of this proposal, it is considered that the proposed development would result in a change in the appearance of the landscape. However, notwithstanding this view, without supportive evidence concerning any potential negative impact on local tourism, it is considered that there is insufficient information to warrant a refusal on the basis.

9.74 Conclusion;

- 9.75 Paragraph 14 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- 9.76 In this case the relevant Local Plan policies are out of date and therefore the policy within Paragraph 14 of the NPPF is applicable. Taken overall, it is considered that there are no adverse impacts that

significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10. Recommendation

10.1 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:

- A off-site affordable housing contribution (as defined by the National Planning Policy Framework) is provided.

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

Conditions

Time limit for commencement (T)

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with 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.

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)

2. This permission relates to the following plans:

- Drawing no. 121701-01 H received 23rd February 2018
- Drawing no. 121701-05 A received 6th February 2018.

Any application for approval of the landscaping as a 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 scale and layout of the development, the maximum number of dwellings and the site area.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 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)

3. The approval of the Local Planning Authority shall be sought in respect of the following matter before the development is commenced; the landscaping of the site.

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.

4. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

Detailed engineering drawings to a scale of not less than 1:250 and based upon an accurate survey showing:

- the proposed highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway, and verges
- visibility splays

- the proposed buildings and site layout, including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging.

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.

Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
- when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
- kerb and edging construction details
- typical drainage construction details.

Details of the method and means of surface water disposal.

Details of all proposed street lighting.

Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

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

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

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

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (a) The access shall be formed with 6 metre radius kerbs, to give a minimum carriageway width of 5.5 metres, and that part of the access road extending into the site shall be constructed in accordance with Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1/20.

- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: 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.

6. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60m measured along both channel lines of the major road Bentham Rd from a point measured 2.4m down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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.

7. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:
- The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:
 - An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/03 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works.
 - The developer's programme for the completion of the proposed works has been submitted to and approved writing by the Local Planning Authority in consultation with the Local Highway Authority.
 - The required highway improvements shall include:
 - Provision of tactile paving
 - Footway along Bentham Rd, between site access and footway at A65 junction, min 1.5m wide

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway 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.

8. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development

- d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. HGV routing

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway 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.

9. Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phases have been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

10. Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to 6.5 litres per second. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.

11. The development shall not commence until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site.

12. No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site.

13. No development shall take place until a suitable maintenance plan of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development. The scheme to be submitted 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).

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system.

14. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public surface water sewer must be restricted to 6.5 l/s for any storm event.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

During building works

15. 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:
- the introduction of additional planting within the site which forms part of the internal development layout and
 - 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.

Reason: To ensure suitable retention and strengthening of landscaping on the site in the interests of visual amenity, to provide a buffer with adjoining agricultural fields located within the open countryside and to provide suitable 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.

16. 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 development 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 conservation area and the site's surroundings 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.

17. The development hereby approved shall be carried out in conformity with the details contained within the Scoping Study Flood Risk & Drainage Impact Assessment and retained thereafter.

Reason: To ensure that Flood Risk is satisfactorily addressed.

Prior to occupation

18. No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.
- The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.
- Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.
19. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number:
- Footway along Bentham Rd, between site access and footway at A65 junction, min 1.5m wide.
- Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents 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 part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas.
- a. have been constructed in accordance with the submitted drawing (Ref: drawing number 121701-01H)
- c. are available for use unless otherwise approved in writing by the Local Planning Authority.
- Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times
- Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development 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. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
- The development shall subsequently be completed, maintained and managed in accordance with the approved plan.
- Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Ongoing conditions

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

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

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

24. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the areas shown on approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

25. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

26. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2018, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwellings hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the privacy and amenity of the occupiers of adjacent dwellings in accordance with the requirements of the National Planning Policy Framework.

Informative

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

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.

The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at www.northyorks.gov.uk.

The applicant can discuss any of the above with Developer Engineer, Josephine Wong, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

Where United Utilities assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>.

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>.

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

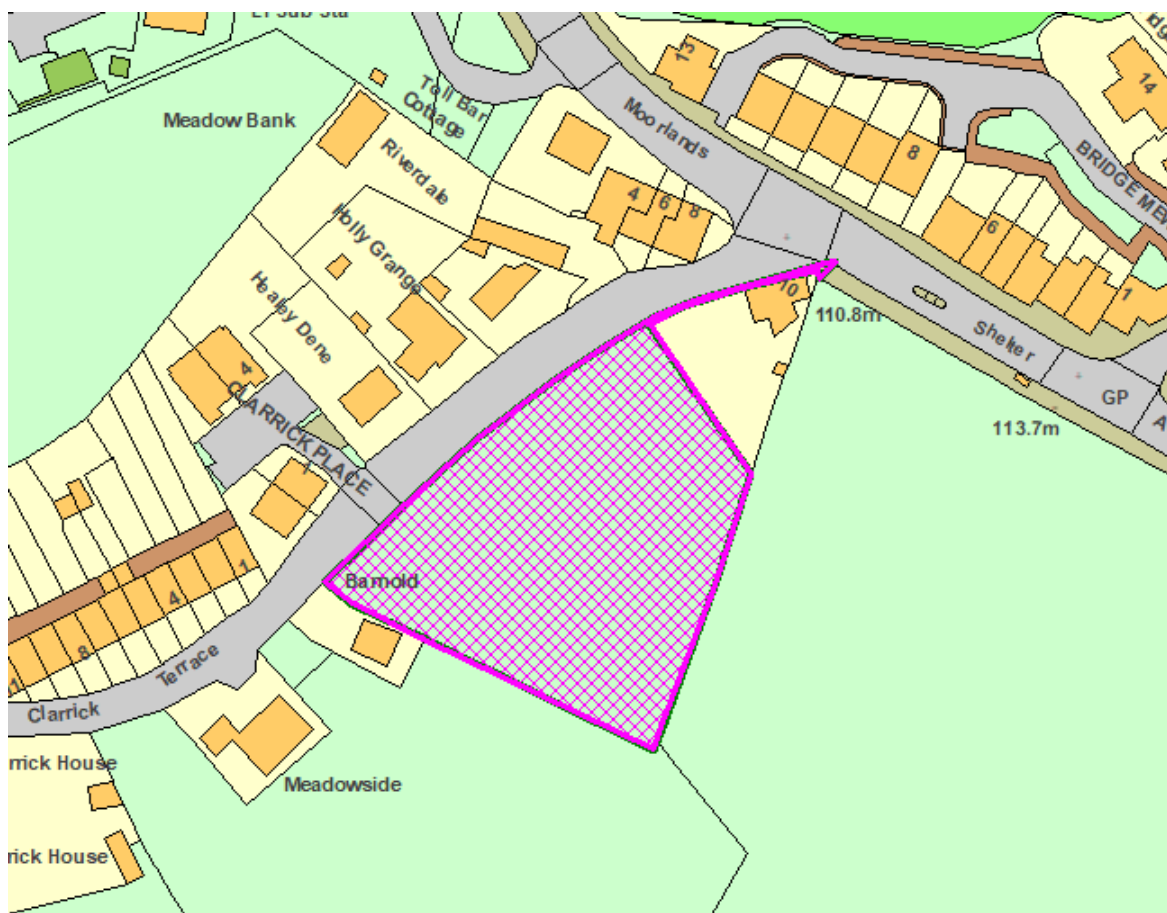
The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

The 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/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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.



Application Number: 2018/18981/OUT

Proposal: Outline application for development of ten dwellings with landscaping as a reserved matter.

Site Address: Land South Of Bentham Road Ingleton

On behalf of: Mr J Kidd

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/19016/HH

Proposal: 2 storey extension to side , replace single storey rear extension with 2 storey extension, removal of sectional concrete garage (resubmission of previously withdrawn application 2017/18503/HH)

Site Address: 13 South View Kildwick BD20 9AZ

On behalf of: Mr Stephen Bye

Date Registered: 16th February 2018

Expiry Date: 13th April 2018

Case Officer: Andrea Muscroft

The application has been referred to the Planning Committee by Councillor Brown given the level of public interest.

1. Site Description

- 1.1 The application relates to an end of terrace Victorian dwelling that lies within the village of Kildwick. Although set at a lower level to other dwellings in the terrace, the property is significantly elevated (by *circa* 7m) when viewed from vantage points on Main Street to the west. Accordingly, it forms a prominent building along this vista.
- 1.2 To the front of the dwelling is a grassed amenity area with flag stones leading to the main entrance. A garage projects off the western elevation. Running along the western boundary is a timber post fence with land beyond dropping away steeply towards a car park flanking Main Street. A tall stone retaining wall marks the banking separating these features.
- 1.3 The rear private amenity area is accessed through the existing garage and is enclosed by the existing garage to the west, a stone boundary wall to the north and the external wall of No. 11 South View.
- 1.4 The application site is located within the development limits and designated conservation area of Kildwick. The site has also been identified as being within a 'development low risk area' by the Coal Authority.

2. Proposal

- 2.1 **Officer Note:** The applicant was advised that a revised scheme in terms of reducing the overall scale, design and appearance would help to address the concerns raised in the refusal 2017/18503/HH. Hence, the current revised proposal.
- 2.2 The revised proposal is seeking approval for external and internal alterations consisting of the following:
- 2.3 External alterations.
 - Removal of existing concrete garage.
 - Replace existing single storey rear extension with wrap around two storey side extension and single storey rear extension.
 - Solar panels to south facing roof slopes.
- 2.4 Internal alterations.

- 2.5 Reconfiguration of internal space.
- 2.6 **Officer Note:** The changes to the internal configuration could be undertaken without the need for planning permission. Therefore, these internal alterations are not material to the consideration of this application.
- 3 Planning History
- 3.1 2017/18503/HH - Remove existing sectional concrete garage to side of property, remove single storey kitchen extension to the rear and replace with a 2 storey extension to the rear – Withdrawn November 2017.
- 4 Planning Policy Background
- 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 ('CDLP').
- 4.2 CDPL
- H20 – Home extensions
 - T2 – Road Hierarchy
- 4.3 Supplementary guidance Appendix F of the Local Plan.
- 4.4 National policy
- The National Planning Policy Framework – NPPF.
 - Planning Practice Guidance – PPG.
- 5 Parish/Town Council Comments
- 5.1 Farnhill Parish Council: Object to the application on the following grounds:
- No dimensions on the drawings submitted.
 - Design and Access Statement is lacking in details with regards to the potential impact of the development on adjacent dwellings.
 - Concern how the building is to be constructed.
 - The proposed development would inevitably place additional loading onto a five metre high masonry retaining wall which forms the rear of the Main Street car park and the rear of the local children's play area. This will increase the risk of failure of the wall and the possibility of catastrophic effects on not only 13 South View but nearby houses as well.
 - Number 11 South View will be particularly badly affected by the proposed two story structure resulting in loss of light and amenity. Number 9 The Arbour and houses on Main Street will be overlooked.
 - Lack of details with regards to boundary treatments.
 - Location plan appears to differ from the Land Registry Title Number 47442 and therefore there is a question over the impact with the loss of parking due to the demolition of the garage.
 - The extension is shown to lie within 800mm of the northern and western boundaries and as scaffolding will be mandatory for two storey building work, it will have to be positioned beyond the boundaries. This will include the local play area which to avoid risks to children will have to be closed for the duration of the building work.
 - It is difficult to see how future maintenance of the extension, including simple operations such as window cleaning will be possible with the site boundaries so close to the structure.

- Number 13 South View occupies an extremely prominent position in the Village and any development will be very conspicuous. Whilst there may well be a case for saying an improvement of the existing western elevation would be visually beneficial, the proposals, with the very high proportion of glazing will not provide such an improvement, will certainly not be sympathetic to the surrounding houses and will not benefit the Conservation Area as a whole.
- There are inaccuracies on the submitted plans concerning the availability of parking and separation distances with neighbouring dwellings.

6 Consultations

6.1 None necessary.

7 Representations

7.1 The proposal was advertised in the Craven Herald on 8th March 2018 and by the posting of a site notice on the 9th March 2018. In addition, neighbour notification letters have been distributed.

7.2 As a consequence of the publicity six letters of representation objecting to the proposal were received. Comments have been summarised below:

7.3 Policy

- Conflicts with local plan policies.

7.4 Visual impact

- Proposal would appear overbearing and out of scale compared to the existing property.
- Proposal out of character with the area.
- Over development of the site.
- Porch is out of character with the area.

7.5 Amenity issues.

- Proposal would have an adverse impact on the privacy and amenity of neighbouring properties.
- Proposal would result in an unacceptable level of overshadowing and loss of natural light.
- Concern over potential noise nuisance.
- Concern over the proximity of the development to adjoining properties.

7.6 Highway issues.

- Inadequate parking provision.
- Inadequate access.

7.7 Other issues

- Proposal would obscure views of the Aire Valley.
- Concern over the stability of the land.
- Information missing from plans and application form.
- Dislike of proposal.
- Concern over the potential impact on the local ecology.
- Concern over potential flooding from surface water.
- Concern over the removal of trees and hedges prior to the submission of the application.
- Concern that the proposal has been identified as being under Kildwick when it is in Farnhill.

8 Summary of Principal Planning 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. Visual impact
2. Neighbour amenity
3. Highway issues.
4. Other issues.

9 Analysis

9.1 **1. Visual impact of development on the surrounding conservation area.**

9.2 Saved Policy H20 states that planning approval should only be granted where the design, scale, appearance and materials respect the original building and would not have an unacceptable impact on the existing street scene.

9.3 Supplementary guidance Appendix F of the Local Plan expands on the requirements of Saved Policy H20. The guidance aims to promote high standards of design which maintain local distinctiveness and enhance local character.

9.4 Section 3 of the guidance also provides general design considerations with regards to ensuring that new development is compatible with its surroundings.

9.5 Policy 9 of the guidance also states that except in special circumstances no rear extension will be acceptable if it would result in less than 50% of the usable rear garden/amenity space remaining undeveloped.

9.6 Section 7 of the NPPF highlights the importance of good design and its key role in providing sustainable development. Paragraph 58 advises that development should respond to local character and history, and reflect the identity of the local surroundings and materials.

9.7 Paragraph 61 also recognises that securing high quality and inclusive design goes beyond aesthetic considerations and that planning should address the connections between people and places and the integration of new development into the built and historic environment.

9.8 Paragraph 64 indicates that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

9.9 Paragraph 132 of the NPPF sets out how a local authority should consider the impact of a proposed development on the significance of a designated heritage asset. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

- 9.10 Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve public benefits that outweigh that harm or loss.
- 9.11 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 9.12 Also for consideration is the proposal's visual impact on the conservation area. The duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.13 The proposed side extension would be set back from the principal elevation. In addition, the ridge height would be set lower than the existing ridge height of the original dwelling. As such, the set back and set down is not considered contrary to the requirements of saved Policy H20 and would ensure that the proposal appears as a subordinate addition to the front elevation.
- 9.14 With regards to the western elevation, it was noted that the gables of surrounding dwellings were for the majority blank or nearly blank with openings traditionally rarely found in gables. Where windows do occur, they tend to be small and narrow, thereby reinforcing the vertical proportion of the gable. Notwithstanding this, it does not exclude the introduction of new window openings to new developments. In this instance, the proposal seeks to replace existing window openings with the introduction at ground floor level 3 bi-folding door openings and at first floor level full height windows. Whilst, this fenestration arrangement would differ from the majority of fenestrations arrangements immediately adjacent to the application site. It was noted that within Farnhill a number of properties have also introduced contemporary window options most notably the Arbour and properties backing onto the Leeds and Liverpool Canal. Therefore, on balance, it is considered that the proposed window/door arrangements would not result in any visual harm to the existing building, street scene nor the surrounding conservation area.
- 9.15 To address concerns over the size and scale of the previous proposal the current revised scheme has reduced the overall size and scale of the two storey element of the proposal and is now no longer considered to be disproportionate with the existing dwelling. In addition, the revised scheme would retain 50% of usable rear amenity space.
- 9.16 Rear extensions have less immediate impact on the street scene than side extensions. However, the additional mass of an extension does have a material visual impact. In this instance, the proposed extension is considered to be a small scale form of development that has been designed to be sympathetic to the character and appearance of the existing dwelling and the surrounding conservation area.
- 9.17 The proposal would also include the construction of a porch to the south elevation. This is considered to be a small scale form of development that would not result in any visual harm to the existing dwelling or the wider conservation area. Similarly, the alterations to the north roof slope are also considered minor in nature and would not result in any visual harm to either the existing dwelling or the wider conservation area.
- 9.18 The proposal would be constructed using sandstone block and render under a grey slate roof. Windows and doors would be UPVC with black plastic rainwater goods. These materials would match those used in the construction of the original dwelling house and therefore would ensure that the proposal harmonious with the original dwelling.
- 9.19 In conclusion, it is considered that the revised scheme in terms of design, scale, appearance and use of appropriate conditions would not result in any unacceptable harm to the existing dwelling house or to the existing street scene. In addition, it is considered that the proposal would not result in any significant harm to the character and appearance of the designated conservation area. As such, the proposal is considered to comply with the requirements of saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan, Policy 9 of Supplementary Guidance Appendix F and paragraphs 58, 61, 64, 132, 133 & 134 of the National Planning Policy Framework.

9.20 **2. Impact of development on the amenity of neighbouring properties.**

- 9.21 Saved Policy H20 states that development should not have an unacceptable impact on the privacy or amenity of neighbouring properties.
- 9.22 Supplementary guidance Appendix F also provides guidance on how developments should not unduly affect the privacy and amenity of neighbouring properties.
- 9.23 Section 3.6 states that to ensure the privacy of neighbouring properties is maintained, windows should not be positioned directly opposite and/or close to windows on any adjoining property. In addition, section 4.2 states that new extensions should be set back from joint boundary walls to prevent obstruction of neighbouring windows and overshadowing.
- 9.24 Paragraph 17 of the NPPF containing the 'core planning principles' advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.25 Residents of No. 11 have expressed concern over the potential loss of outlook as a consequence of the proposed development. The proposal would consist of a 1.5 high extension located approximately 7.3m from the gable end of No. 11. Although, the proposal would result in a limited reduction in outlook from this secondary window for the occupants of No. 11, this is not a material planning consideration. Similarly, due to the separation distance and the scale of the development the proposal would not appear overtly dominant when viewed from this secondary window that serves the kitchen area.
- 9.26 The proposed windows to the south elevation, given the separation distance with No. 1 Newby Road, is sufficient to ensure that the proposal does not have an adverse impact on the privacy or amenity of the occupants of this property.
- 9.27 The windows to the western elevation would enable views towards the Aire Valley, the children's play area and towards the private amenity areas of properties located along Main Street. Notwithstanding this, it is considered that the separation distance combined with the orientation between the application site and the front amenity areas of properties along Main Street would ensure that any overlooking would not result in an unacceptable loss of privacy to warrant a refusal.
- 9.28 Regarding the impact of the northern elevation on No. 9 The Arbour, the previous scheme consisted of a two storey extension positioned approximately 0.5m from the joint boundary. This was considered unacceptable as the development would have appeared overbearing and resulted in an unacceptable level of overshadowing.
- 9.29 The revised scheme now consists of a single storey extension situated approximately 1m from the joint boundary with No. 9 The Arbour. It is acknowledged that the private amenity area adjacent to the application site is located at a lower level than the application site. However, given the small scale nature of the rear extension, combined with the 2.5m setback of the 1.5 high side extension, it is considered that the proposal would not have a significant or unacceptable impact on the outlook from side windows located in the Gable of No. 9 The Arbour. Similarly, due to the high density of development adjacent to No. 9 The Arbour it is not considered that the proposal would appear unacceptably overbearing.
- 9.30 The orientation of the proposed development with No. 9 The Arbour would result in the loss of some sunlight to the amenity space during the earlier part of the morning. However, the position of the existing dwelling and adjacent dwellings already have an impact on the available sunlight to the rear amenity area from early morning onwards and it is therefore considered that any additional impact from the proposal would not be significant to withhold planning approval.
- 9.31 In terms of privacy, the loss of privacy can occur due to inadequate distance between the proposal and neighbouring windows and amenity areas resulting in an unacceptable loss of privacy. In this instance, the northern elevation would contain a double window to serve the proposed kitchen, an external door opening and three single window openings at first floor level. These windows would serve the family bathroom, the hallway and a bedroom. Whilst the introduction of these windows would result in an increase of overlooking between the existing dwelling and the garden of No. 9 The Arbour, it is considered, that due to the mutual overlooking that already exists between adjacent dwellings the proposal would not result in any unacceptable increase in loss of privacy.

- 9.32 With regards to concerns over noise nuisance, there is no evidence to suggest that the level of noise, nuisance and disturbance associated with the proposed extensions would generate significant noise, nuisance or disturbance over and above that of a normal family home. As such, it is not considered that a refusal of the application on this basis could be justified.
- 9.33 In conclusion, the proposed extension would not result in any unacceptable loss of privacy or amenity to the occupants of neighbouring properties. The proposal therefore complies with the requirements of Saved Policy H20 of the Local Plan and Supplementary Guidance Appendix F of the Local Plan the guidance contained within paragraph 17 of the National Planning Policy Framework.
- 9.34 **3. Highway issues.**
- 9.35 Section 4 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car. Paragraph 32 of the NPPF states that:
- 9.36 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.
- 9.37 Saved Policy T2 is permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.38 The proposal would result in the loss of a single garage. However, it was noted when visiting site that the garage did not have any vehicle access to it. Instead, off-street parking would be achieved through the continued provision of an area of hardstanding to the south of the property that is currently used for the parking of 2 vehicles.
- 9.39 Therefore on balance, whilst the proposal would see the removal of a garage, the site would still benefit from two off-street parking spaces. As such, the proposal would not have an adverse impact on highway safety.
- 9.40 **Other issues.**
- 9.41 Whilst acknowledging comments expressing concerns over the potential impact of the development on local biodiversity. It is the officers opinion that a proposal of this scale would not significantly adversely impact on the local wildlife to warrant a refusal.
- 9.42 Concerns have been raised with regards to surface water flooding. The proposed development would result in a decrease in the level of non-permeable material than currently present on site. As such, it is not considered that the proposal would exacerbate any existing surface water flooding that may occur after periods of heavy rainfall.
- 9.43 As regards, other general matters; there is no current technical evidence that issues concerning the stability of the wall would cause insurmountable problems should the development be granted. Furthermore, the issue of stability of the wall itself is the subject of separate legislation (including building regulations) and would not normally form material planning considerations.
- 9.44 Comments have been received in relation to the removal of trees/hedges prior to the submission of the application. The Councils Tree Officer has stated that hedges that formed part of a garden are not protected. Similarly, if a tree has a diameter of less than 75mm it is also exempt from protection. In this instance, it is unclear on whether the tree had a diameter of 75mm or more. Notwithstanding this, the Tree Officer has confirmed, that based on photographic evidence that the tree was not worthy of a Tree Preservation Order. As such, it is considered not expedient to take enforcement action.
- 9.45 **Conclusion**
- 9.46 Paragraph 14 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.

- 9.47 In this instance, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10 Recommendation

- 10.1 To grant planning approval subject to the following conditions.

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.

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

2. This permission relates to the following plans:

- Block/Site plan received by Craven District Council on the 16th February 2018.
- Proposed elevations received by Craven District Council on the 16th February 2018.
- Proposed floor plan received by Craven District Council on the 16th February 2018.

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.

During building works

2. 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 development 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 rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy H20 and the National Planning Policy Framework.

3. The development shall be constructed in accordance with the appointed Civil Engineer Report.

Reason: To ensure retaining structures are suitably retained and reduce the risk of subsidence.

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.

INFORMATIVES

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.

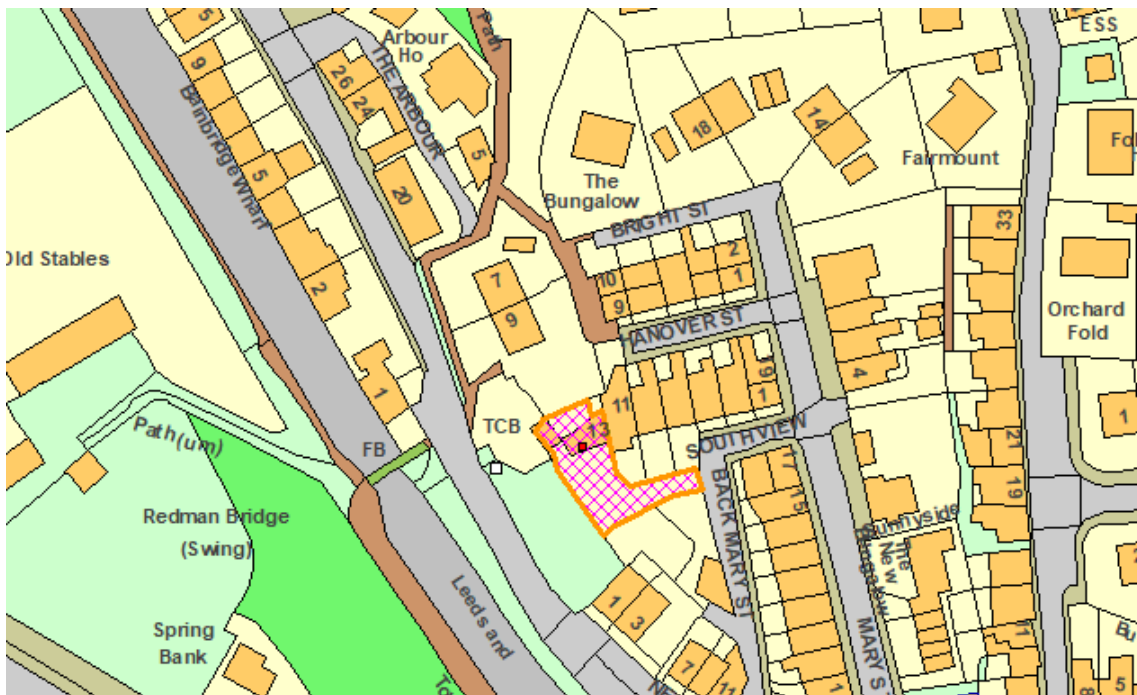
The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

The applicant is advised that details of approved Civil Engineers can be obtained from the Institution of Civil Engineers (ICE) website (<http://www.ice.org.uk>).

The proposed development has 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 7626848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority Website at; www.gov.uk/government/organisations/the-coal-authority



Application Number: 2018/19016/HH

Proposal: 2 storey extension to side , replace single storey rear extension with 2 storey extension, removal of sectional concrete garage (resubmission of previously withdrawn application 2017/18503/HH)

Site Address: 13 South View Kildwick BD20 9AZ

On behalf of: Mr Stephen Bye

REPORT TO PLANNING COMMITTEE ON 8th May 2018

Application Number: 2018/18926/FUL

Proposal: Construction of 1 detached bungalow and associated works

Site Address: 1 Ryecroft Road Glusburn BD20 8RT

On behalf of: Mr & Mrs Spencer

Date Registered: 18th January 2018

Expiry Date: 15th March 2018

Case Officer: Andrea Muscroft

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 a rectangular parcel of land to the west of the village of Glusburn. The site is currently used as residential garden in connection with No. 1 Ryecroft Road which adjoins the site to the east.
- 1.2 The topography of the site gently falls southwards and is devoid of any structures with the exception of a garden shed.
- 1.3 The application site is located outside of any development limits defined by the 1999 Local Plan and therefore lies in the open countryside.

2. Proposal

- 2.1 The proposal is seeking approval for the construction of a single bungalow with off street parking and turning area.
- 2.2 The proposed dwelling would be single storey and provide two bed accommodation.
- 2.3 The western boundary wall would be retained with the exception of a section of wall that would be removed to create the proposed vehicle/pedestrian access. The south and north boundaries would consist of an existing stone wall with the eastern boundary consisting of a 1.8 timber fence.
- 2.4 The dwelling would be constructed from natural stone under a stone slate roof with stone surrounds to the windows and doors. Doors would be of timber construction, with windows being PVC.

3. Planning History

- 3.1 32/2004/4796 – Erection of conservatory and garage – Approved December 2004.
- 3.2 32/2016/17075 - Outline planning permission for the construction of 1no detached bungalow and associated works with all matters reserved except for access to the site – Withdrawn November 2016

4. Planning Policy Background

- 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 ('CDLP').

4.2 CDLP

- ENV1 – Development in the Open Countryside
- ENV2 – Requirements for Development in the Open Countryside.
- T2 – Road Hierarchy

4.3 National Policy

- The National Planning Policy Framework – NPPF.
- Planning Practice Guidance – PPG.

5 Parish/Town Council Comments

5.1 **Glusburn Parish Council:** No comments received within the statutory consultation period.

6 Consultations

6.1 **CDC Environmental Health:** No objection but recommend the use of conditions to control noise and dust nuisance, construction times and to ensure any topsoil brought to site is contamination free.

6.2 **NYCC Highways:** No objection subject to the use of appropriate conditions with regards to construction requirements, visibility splays and retention of parking spaces.

6.3 **Yorkshire Water:** No comments received within the statutory consultation period.

7 Representations

7.1 The proposal was advertised on the 15th February 2018 in the Craven Herald with a Site Notice displayed within the surrounding area on the 9th February 2018. In addition, letters of notification were sent out directly to local residents.

7.2 As a consequence of the publicity no third party representation was received within the statutory consultation period.

8 Summary of Principal Planning 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:

- The principle of residential development on the site.
- The developments impact on the character and appearance of the area.
- The developments impact on the amenity and privacy of neighbouring properties.
- The developments impact on highway safety.

9 Analysis

9.1 **Principle of development.**

- 9.2 The application site lies outside of the developments for Glusburn as defined on the 1999 Local Plan and, accordingly, the site lies within the open countryside. As such, saved Policy ENV1 is of relevance. This policy seeks to protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development.
- 9.3 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.
- 9.4 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.
- 9.5 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”, with paragraph 29 of the Framework also recognising that “opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”
- 9.6 The proposal does not fall comfortably into any of the categories of development permissible within the open countryside as 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.
- 9.7 Paragraph 55 of the NPPF states that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.”
- 9.8 The application site is located adjacent to existing residential development and would be within walking/cycling distance of the centre of Glusburn. In terms of public transport, there are a number of public bus stops along the A6068 to the south of the site and also along Lothersdale Road located to the north of the site. It is therefore, considered that the development would not result in the introduction of an isolated home in the countryside for the purposes of the NPPF.
- 9.9 Turning to the three dimensions to sustainable development, economic, social and environmental as defined by the NPPF, it is recognised that the proposed development of this site would provide economic benefits associated from new housing development including the provision of construction jobs and from future residents of the proposed dwellings. In addition, the proposal would provide some social benefits and help to support the vitality of the rural community.
- 9.10 Nevertheless, when considering the proposal against the environment dimension the proposal would result in the development of a residential garden. Paragraph 53 of the NPPF states ‘LPA’s should consider the case of setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area’. In this instance, the Council does not have a policy resisting development of residential gardens.
- 9.11 In conclusion, the application site is located in the open countryside and the proposal does represent a departure from the provisions of saved Policy ENV1 of the Local Plan. Nevertheless, the development would be located on land surrounded by residential dwellings, and would be of a scale form of development that would contribute to the regions housing needs. The site is reasonably well related to existing services and facilities in Glusburn the nearest neighbouring village including public transport

links. In addition, it is considered that the Council is unable to robustly demonstrate a 5 year housing supply land for the purposes of paragraph 47 of the NPPF.

- 9.12 Therefore, whilst the proposal is considered acceptable in principle the key test is whether the development would cause harm to the character of the local area which will be considered within the report.
- 9.13 **Visual impact of the development.**
- 9.14 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.
- 9.15 Saved 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.
- 9.16 In addition, 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.
- 9.17 Currently the site consists of an enclosed garden area with planted borders. Within the surrounding area is a mixture of traditional terrace, detached and semi-detached dwellings of differing scales and appearance. In addition, planning approval has been granted for the construction of 49 dwellings (ref: 32/2015/15390) on land to the southeast of the site. Furthermore, on land located to the southwest of the site planning approval has been granted for the construction of three dormer bungalows.
- 9.18 The proposal seeks to construct a single storey bungalow with off street parking and turning area. It is acknowledged that when travelling along Ryecroft Road the proposed bungalow would project above the existing boundary wall. However, the proposed ridge height of the bungalow would be lower than existing dwellings and would therefore not result in a form of development that would appear visually intrusive when viewed from adjacent vantage points.
- 9.19 It is acknowledged that the proposal would require the removal of a section of boundary wall and alterations to the height of the remaining sections to create the necessary visibility splays. However, these alterations are considered minor in nature and would not result in any unacceptable harm to the existing street scene.
- 9.20 The proposed dwelling is of a simple design with stone door and window surroundings. In addition, the design has incorporated stone quoins. Therefore, whilst the dwelling is of a more modern design than existing dwellings, it is considered that the simple form and detailing would result in a form of development that would be in harmony with the character of the surrounding area.

- 9.21 Furthermore, the proposal seeks to use similar materials used in the construction of adjacent dwellings thus ensuring that the development would not result in any visual harm to the surrounding area or existing street scene.
- 9.22 In conclusion, the proposed detached dwelling, off street parking and turning area is considered appropriate and acceptable in terms of design, scale, appearance and materials. The proposal therefore is considered not to conflict with Policy ENV2 of the Local Plan, which seeks to ensure that all development respects the character of the surrounding area. The proposal would also not conflict with paragraphs 17 & 58 of the NPPF.
- 9.23 Impact of development on the amenity of neighbouring properties.**
- 9.24 There are no saved LP policies setting out specific criteria for residential development outside of development limits with respect to the effects on the amenity of neighbouring occupants. Nevertheless, paragraph 17 of the NPPF states that one of the core planning principles is to secure a good standard of amenity for all existing and future occupants.
- 9.25 The nearest dwelling to the application site is No. 3 Glusburn Green located to the north of the site at a separation distance of approximately 5.5m. Located within the southern gable of the dwelling house is a small single window at ground floor level, also there is a small single window to the single storey extension that projects off the southern elevation. In addition, there is a small single window at first floor level which appears to serve a bathroom. To maintain the privacy of the occupants of this property the northern elevation of the proposed dwelling would remain blank. As such, the proposal would not result in any unacceptable loss of privacy to the any habitable rooms located on the southern gable.
- 9.26 It is acknowledged that the proposal would result in some overlooking between the rear amenity area associated with No. 3 Glusburn Green and the rear amenity area for the proposed dwelling. However, it is considered given the level of mutual overlooking that currently exists between the application site and No. 3 Glusburn Green that the proposal would not result in any unacceptable loss of privacy. Similarly, given the scale of the proposed dwelling that the proposal would not appear overtly dominant or result in any unacceptable overshadowing.
- 9.27 The next nearest dwelling is No. 1 Ryecroft. This property is currently in the ownership of the applicant. Notwithstanding this, it is considered necessary to assess the potential impact of the development on this property as ownerships are subject to change.
- 9.28 The proposed dwelling would be located at a separation distance of approximately 11m with 3 windows (2 to serve bedrooms and 1 to serve a bathroom) facing across towards the garden area and western gable of this property. Details submitted indicate that a 1.8m timber fence would be erected along the joint boundary with the application site. Therefore, given the scale of the development combined with the proposed boundary treatment, it is not considered that the proposal would result in any unacceptable loss of privacy to the occupants of this property. Similarly, given the scale of the proposed dwelling it is considered that the proposal would not appear overtly dominant or result in any unacceptable overshadowing.
- 9.29 The next nearest dwelling is No. 4 Glusburn Green located to the west of the site at a separation distance of approximately 17.5m. The proposed dwelling would see the introduction of windows to serve the kitchen and living rooms. These windows would partially face towards the front amenity area associated with this dwelling. Notwithstanding this, it is considered that the separation distance combined with the proposed boundary treatments is sufficient to ensure that the occupants do not experience any unacceptable loss of privacy. The proposal would also not result in any overshadowing or appear overbearing or dominant when viewed from this property.
- 9.30 Properties to the south of the site are located at a separation distance in excess of 45m. Therefore, the proposal given its scale, orientation to these dwellings, existing boundary treatments and separation distance would not have an adverse impact on the privacy or amenity of these properties. Likewise, the proposal would not have an adverse impact on the occupants of the recently approved dwellings located to the southeast of the site

- 9.31 It is acknowledged that planning approval was granted for a detached dwelling ref: 32/2012/12882 directly adjacent to the application site. This permission has not been implemented and would appear to have now lapsed.
- 9.32 Turning to the amenity spaces for future occupiers of the dwelling the proposal has been designed to provide sufficient living accommodation to meet the needs of any future family. In addition, the proposal would provide private amenity areas which are considered adequate for the future occupiers of this dwelling. It is acknowledged, that due to the proposals relationship with adjacent dwellings, that there would be some mutual overlooking between existing properties and the proposed dwellings. However, it is not considered to be so significant to warrant a refusal.
- 9.33 In conclusion
- 9.34 The proposed dwelling would not result in any harm to the adjacent dwellings in terms of loss of privacy or amenity. In addition, it is considered that the proposal would provide appropriate living conditions for future residents. The proposal is considered not to conflict with the aims and objectives of section 7 of the NPPF which seeks to ensure that all development achieves an adequate level of amenity for existing and future occupants.
- 9.35 **Impact of development on highway safety.**
- 9.36 Saved Policy ENV2 of the Local Plan requires that rural access roads would be able to accommodate the traffic likely to be generated by the proposal.
- 9.37 Saved Policy T2 also requires that new development; is appropriately related to the highway network; does not generate volumes of traffic in excess of the capacity of the highway network; would not lead to the formation of a new access or greater use of an existing access onto a primary, district or local distributor road and would have full regard to the highway impact on, and potential for improvements to the surrounding landscape.
- 9.38 The second and third bullet points to paragraph 32 of the NPPF stipulate that planning decisions should take account of whether:
- 9.39 Safe and suitable access to the site can be achieved for all people.
- 9.40 Improvements can be undertaken within the transport network that cost effectively limits 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.
- 9.41 The proposal seeks to create a new vehicle access directly onto Green Lane by removing a section of boundary wall and repositioning the remaining wall either side of the proposed entrance. In addition, to achieve the visibility splays the remaining walls would be lowered. Within the site the proposal would create a turning head and provide two off street parking spaces. It is therefore considered, that this is sufficient to meet the requirements of Saved Policy T2 of the Local Plan.
- 9.42 NYCC Highways have been consulted and have raised no objection only specifying the use of appropriate conditions to be attached should the proposal be granted planning approval. Therefore, it is considered that subject to the attachment of appropriate conditions the site could be developed without detriment to highway safety.
- 9.43 In conclusion
- 9.44 The proposal would not create conditions contrary to highway safety and therefore accords with the requirements of saved Policies ENV2 & T2 of the Local Plan and guidance contained within paragraph 32 of the NPPF.
- 9.45 **Conclusion;**
- 9.46 Paragraph 14 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

9.47 In this case the relevant Local Plan policies are out of date and therefore the policy within Paragraph 14 of the NPPF is applicable. Taken overall, it is considered that there are no adverse impacts that significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 14 of the NPPF, and there are no grounds to withhold planning permission that in officer's view would be sustained at appeal.

10 Recommendation

10.1 To grant approval subject to the following conditions.

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.

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

2. This permission relates to the following plans:

- A1/251/2/001 received by Craven District Council on the 17TH January 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings or where alternative details have been subsequently approved following an application for a non-material amendment.

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.

Pre commencement

3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
 - Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
 - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
 - The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to accord with the requirements of Saved Policy T2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

4. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 25 metres northerly and 35 metres southerly measured along both channel lines of the major road Green Lane Glusburn from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety and to accord with the requirements of Saved Policy T2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

During building works

5. 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 development 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 conservation area and the site's surroundings 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.

Ongoing conditions

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2018, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the privacy and amenity of the occupiers of adjacent dwellings in accordance with the requirements of the National Planning Policy Framework.

7. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

8. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the areas shown on approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Informative

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

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

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.

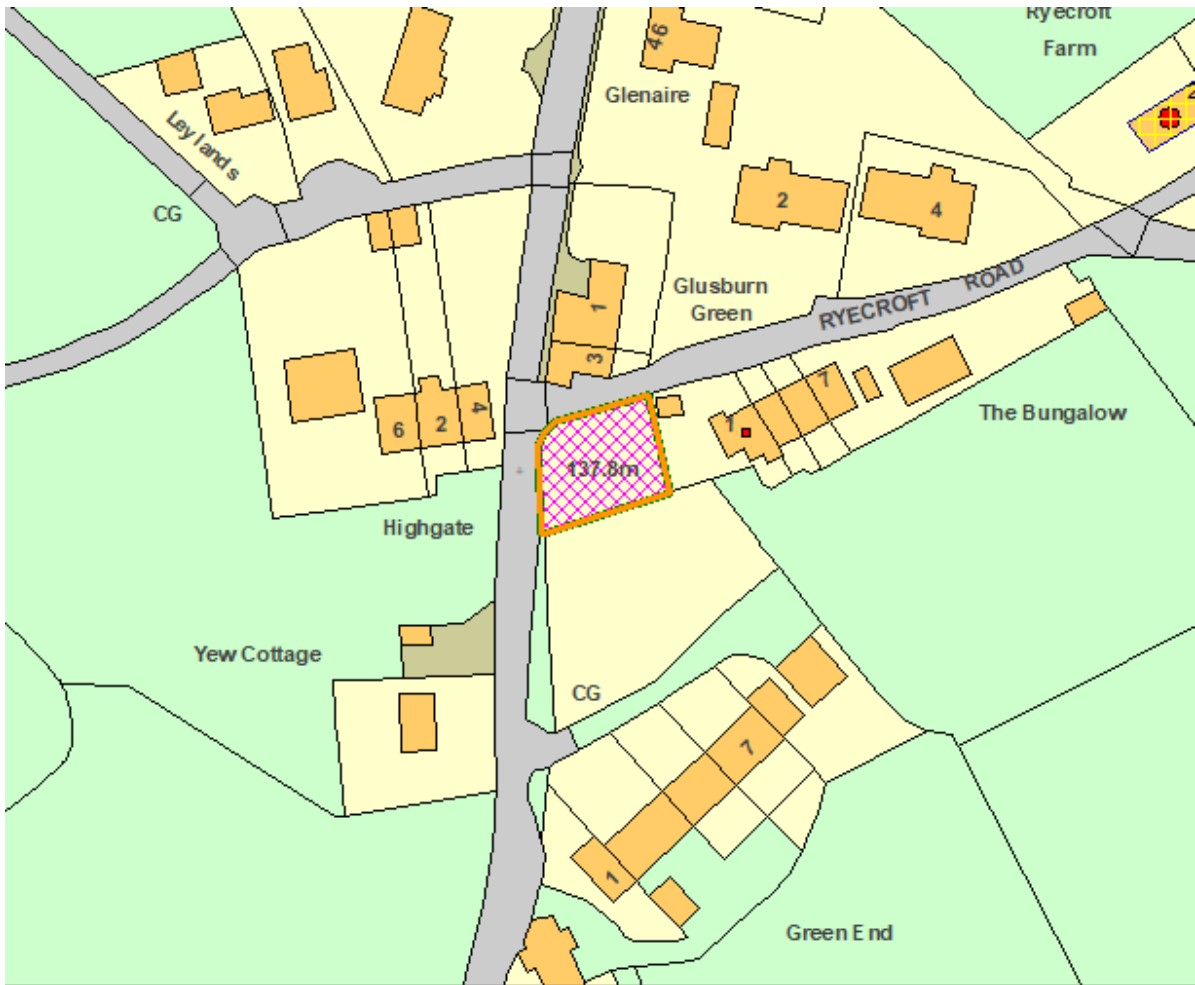
The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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

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.

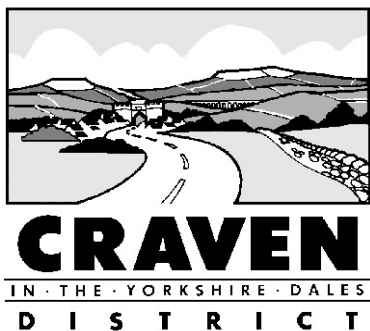


Application Number: 2018/18926/FUL

Proposal: Construction of 1 detached bungalow and associated works

Site Address: 1 Ryecroft Road Glusburn BD20 8RT

On behalf of: Mr & Mrs Spencer



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 28.03.2018 to 26.04.2018

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
34/2012/13074	Yorkshire Dales Ice Cream Ltd	Calm Slate Farm Holme Lane Halton East Skipton North Yorkshire BD23 6EU	Extension of ice cream parlour, change of use to indoor play space, creation of covered play space with extension of site to accommodate tree screening, and retrospective application for extension to car park.	Approve with Conditions	12.04.2018
34/2016/16854	Yorkshire Dales Ice Cream	Calm Slate Farm Holme Lane Halton East Skipton BD23 6EU	Retrospective application for replacement office block	Approve with Conditions	12.04.2018
34/2016/16907	Billy Bob's Ice Cream Parlour	Calm Slate Farm Holme Lane Halton East Skipton BD23 6EU	Change of use from agricultural land to overspill car park for Billy Bob's Ice Cream Parlour	Application Withdrawn	29.03.2018
34/2016/17145	Billy Bob's Ice Cream Parlour	Calm Slate Farm Holme Lane Halton East Skipton BD23 6EU	Retrospective application for change of use from agricultural to play barn in connection with Billy Bob's Ice Cream Parlour	Approve with Conditions	12.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
11/2017/18097	Mr Michael Spence	Langroods Farm High Bradley Lane High Bradley Keighley BD20 9ES	Outline application with all matters reserved for the erection of three terraced dwellings (resubmission of previously withdrawn application 11/2016/17565)	Refuse	29.03.2018
2017/18279/HH	Mr Robert Wood	2 High Castle Rectory Lane Skipton BD23 1FP	Retrospective application for a fence	Refuse	10.04.2018
2017/18486/FUL	Mr David Stubbs	The Heigh Mewith Bentham Lancaster LA2 7AU	Full planning application for (1) proposed new detached garage (2) proposed new parking and turning area (3) proposed re-siting of an existing stable block (4) partially retrospective to retain an existing fence and double gates.	Approve with Conditions	24.04.2018
2017/18596/FUL	Mr Pickard	Land Off Rook Street Lothersdale Keighley BD20 8EH	Construction of detached dwelling with associated double garage and turning area.	Approve with Conditions	10.04.2018
2017/18688/VAR	Mr Steven Hopley	Woodgill Farm Keasden Road Clapham LA2 8HB	Application to remove condition No 10 of original planning consent reference 18/2013/13681 to allow retention of the farmhouse.	Refuse	12.04.2018
2017/18706/FUL	Daleshead Veterinary Group	Land North Of The Vets Station Road Settle	Demolish existing single storey industrial building and construct new two storey building to house farm animal veterinary facilities with new landscaped forecourt _ parking area.	Approve with Conditions	06.04.2018
2017/18725/FUL	Mr Jonny Newiss	Land Adjacent To 42 East Lane East Lane Embsay	Construction of detached dwelling with associated amenity space and off street parking.	Approve with Conditions	17.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18728/FUL	Mr Seth Smith	Lyngarth Keighley Road Cowling BD22 0LA	Proposed construction of a detached dormer bungalow and detached double garage.	Approve with Conditions	10.04.2018
2017/18744/OUT	Mr & Mrs L Fell	Land South Of Station Road Giggleswick Settle BD24 0AB	Outline application for a residential development of 4 dwellings - access, appearance, layout and scale applied for with all other matters reserved	Approve with Conditions	12.04.2018
2017/18752/COU	Mr Coupe	Matchless House Low Lane To A65 Draughton Skipton BD23 6EA	Proposed conversion of existing barn to living accommodation associated with the main house and alterations to existing dwelling.	Approve with Conditions	04.04.2018
2017/18785/FUL	Mr & Mrs B And E Fray	Kildwick Grange Hall Skipton Road Kildwick Nr Keighley BD20 9AD	Proposed internal and external alterations to form holiday cottage and repairs work to the Hall (resubmission of previously approved details of 73/2017/17980)	Approve with Conditions	10.04.2018
2017/18786/LBC	Mr & Mrs B And E Fray	Kildwick Grange Hall Skipton Road Kildwick Nr Keighley BD20 9AD	Proposed internal and external alterations to form holiday cottage and repairs work to the Hall (resubmission of previously approved details of 73/2017/17981)	Approve with Conditions	10.04.2018
2017/18803/NMA	Skipton Properties Ltd	Elsy Croft Development Moorview Way Skipton BD23 2TW	Application for non material amendment to re-locate Equipment JPS11S as shown at Position 6 on the approved drawing: - relocate to Position 1. Equipment JPS18S as shown at Position 1 on the approved drawing: - relocate to position 6. Equipment JPS21S as shown at Position 3 on the approved drawing: - relocate to new position adjacent plots 31 and 35.	Non-material amendment approved	24.04.2018
2017/18809/LBC	Mr Tom Wilman	6 Queens Street Skipton BD23 1HE	Retrospective Listed Building Consent for the retention of all UPVC windows	Refuse	18.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18831/ADV	Mr Thomas Marshall	Wenningdale Leisure Ltd Bentham Golf Club Robin Lane High Bentham LA2 7AG	2 no. illuminated entrance signs, 2 no. flagpoles	Approve with Conditions	11.04.2018
2017/18842/FUL	Mr & Mrs Ian Jolly	Bridge End House Glusburn Bridge Colne Road Glusburn BD20 8DP	Extension of existing garage to form new five bedroomed detached dwelling	Approve with Conditions	12.04.2018
2017/18858/FUL	Mr Adam Carr	Lawkland Green Farm Lawkland Lancaster LA2 8AT	Proposed new out building incorporating car port, log store and garden store, proposed re-positioning of windows on converted barn	Approve with Conditions	16.04.2018
2017/18860/OUT	Crosshills Social Club	Car Park To Rear Of 71 Main Street Cross Hills Keighley BD20 8PH	Outline application with all matters reserved for proposed residential development on redundant car park to the rear of Crosshills Social Club	Approve with Conditions	23.04.2018
2018/18904/HH	Mr Harry Tosney	Brook Cottage 12 Main Street Ickornshaw Keighley BD22 0DH	Retrospective application for construction of a raised platform near the beck	Approve with Conditions	18.04.2018
2018/18886/HH	Mr Paul Atha	1 Station Road Cross Hills Keighley BD20 7EH	Demolition of porch. Erection of double garage. Replace fences with stone walls.	Approve with Conditions	10.04.2018
2018/18888/FUL	R N Wooler & Co Ltd	Former ATS Depot Carleton Road Skipton BD23 3BT	Full planning application for seven residential units and the retention and recladding of existing commercial building.	Application Withdrawn	17.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18901/HH	Mr & Mrs Mark & Sally Steward	Windset Woodside Lane Cononley Keighley BD20 8PE	Proposed rear single storey extension and porch	Approve with Conditions	28.03.2018
2018/18905/HH	Mr Beaver	Town Head Gargrave	First floor extension on existing footprint to create additional bedroom and en-suite.	Approve with Conditions	06.04.2018
2018/18912/HH	Mr & Mrs Barns	Lower Coppy Farm Park Lane Cowling BD22 0NH	Proposed sun room extension (Resubmission of previous application 2017/18199/HH)	Approve with Conditions	26.04.2018
2018/18913/LBC	Mr & Mrs Barns	Lower Coppy Farm Park Lane Cowling BD22 0NH	Proposed sun room extension (Resubmission of previous application 2017/18200/LBC)	Approve with Conditions	26.04.2018
2018/18921/HH	Mr Callon	23 Cedar Grove Sutton-in-craven BD20 7QS	Single storey rear extension, side window to kitchen and replacement garage	Approve with Conditions	17.04.2018
2018/18927/HH	Mr Mick Farrar	29 South Street Gargrave Skipton BD23 3RT	Dormer window to rear elevation.	Refuse	29.03.2018
2018/18931/FUL	Mr N O Persson	Grange Cottage Kildwick Keighley BD20 9AD	Change of use of land to residential and the construction of a garage.	Approve with Conditions	26.04.2018
2018/18932/FUL	Department For Work & Pensions	Unit C Canal Walk Keighley Road Skipton BD23 1RD	Creation of designated single staff entrance within existing window bay; replacement of existing manual entrance door system with electronic entrance system with inner protection screen.	Approve with Conditions	06.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18934/HH	Mr & Mrs Keith Sharp	Green Grove Red Bridge To Church Close Farm Bell Busk BD23 4DU	Change of use of garage/store to ancillary residential accommodation with sun room, laundry and games room	Approve with Conditions	10.04.2018
2018/19028/ADV	Department For Work & Pensions	Unit C Canal Walk Keighley Road Skipton BD23 1RD	1 x non-illuminated projecting sign to right of main entrance.	Approve with Conditions	06.04.2018
2018/18952/COU	Mrs Lorna Smith	52A Main Street Cross Hills Keighley BD20 8TT	Change of use of A1 shop unit to part of C3 dwelling	Approve with Conditions	06.04.2018
2018/18954/LBC	Mr David Eckersall	Nuttercote Farm Church Road Thornton In Craven Skipton BD23 3TT	Replacement of materials (pointing and stonework) which have been used in the repair of the party wall, carried out under application no. 69/2016/17252	Approve with Conditions	23.04.2018
2018/18961/FUL	Rendezvous Hotel Skipton	Rendezvous Hotel Keighley Road Skipton BD23 2TA	Proposed upgrade of Level 5 (top floor) rooms into suites with roof terraces	Approve with Conditions	29.03.2018
2018/18967/FUL	Burton In Lonsdale Methodist Church	Burton In Lonsdale Methodist Church 23 High Street Burton In Lonsdale Carnforth LA6 3JU	Conversion of church to 2 no. houses and formation of new car parking spaces	Approve with Conditions	03.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18962/CND	Tau Solar Ltd	Land South Of Ravens Close Brow Low Bentham Lancaster LA2 7EU	Application to discharge condition 3 of original planning consent reference 08/2015/15473 (further to initial discharge of condition reference 08/2016/17122)	DOC satisfactory	10.04.2018
2018/19032/FUL	John Roberts Holdings Ltd	Christies High Mill Langcliffe Settle BD24 9LX	Proposed new wall incorporating a new roller shutter door to an opening between two existing warehouses as previously approved in planning applications; 48/2015/15463 & 48/2015/15464	Approve with Conditions	28.03.2018
2018/18971/FUL	Fulcrum Disaster Management Limited	Zolsha Indian Restaurant Skipton Road Cross Hills Keighley BD20 7SA	Change of use of first and second floors above existing restaurant from storage/former living accommodation associated with restaurant to 3 No. apartments. Replacement of window with door, and new external staircase, to south west elevation.	Approve with Conditions	26.04.2018
2018/18973/ADV	Daniel Thwaites PLC	The Golden Lion 5 Duke Street Settle BD24 9DU	New external signage and lighting, gilding of lettering above main entrance door	Approve with Conditions	28.03.2018
2018/18974/LBC	Daniel Thwaites PLC	The Golden Lion 5 Duke Street Settle BD24 9DU	New external signage and lighting, gilding of lettering above main entrance door	Approve with Conditions	28.03.2018
2018/18980/HH	Mr & Mrs Rupert Reader	4 Lidget Croft Bradley Keighley BD20 9DJ	Raise roof line over existing garage with study over to form new master bedroom & single storey extension to the rear to form new garden room	Approve with Conditions	28.03.2018
2018/18979/FUL	ROC North West	Thorngarth House New Road Ingleton LA6 3HN	Change of use from C1 Hotel to C3b Dwelling for up to 6 persons with care provided	Approve with Conditions	29.03.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18996/FUL	Mr Aaren Hollings	Clough Head Farm Sutton-in-craven Keighley BD20 7BB	Single storey extension to west elevation and two storey extension to east elevation	Approve with Conditions	18.04.2018
2018/18999/FUL	Mr & Mrs C Cooper	Swawbeck Barn Paley Green Lane Giggleswick Settle BD24 0DZ	Amendment to previously approved application ref: 2017/18335/FUL for the inclusion of external staircase.	Approve with Conditions	06.04.2018
2018/19000/HH	Mr Nick Osborn	The Old Saw Mill Chapel Hill Skipton BD23 1UL	Proposed garage	Approve with Conditions	16.04.2018
2018/19001/TCA	Mr David Appleby	Croft Bungalow College Court Low Bradley Keighley BD20 9EA	Minor crown work to 1 no. Ash including crown lift.	Approve Tree Works in Conservation Area	06.04.2018
2018/18998/FUL	Susan Houlker	Buckstone Livery Buck Stone Lane Sutton-in-craven Keighley BD20 7BD	Proposed building for cattery	Approve with Conditions	25.04.2018
2018/19003/FUL	Rombalds Builders Ltd	Methodist Church Main Street Farnhill Keighley	Proposed change of use from Methodist Chapel to form two apartments with off street parking.	Approve with Conditions	06.04.2018
2018/19004/HH	Mr Chris Smith	6 Garden Terrace Lothersdale Keighley BD20 8ER	Demolition of small single-storey extension and construction of two-storey extension	Approve with Conditions	24.04.2018

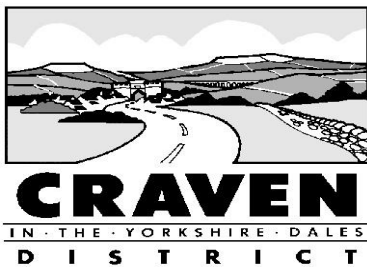
Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19007/HH	Mr & Mrs Andrew And Elizabeth Pierson	Lower Summerhouse Farm Lumb Lane Cowling Keighley BD22 0NJ	Proposed link to and conversion of detached barn	Approve with Conditions	12.04.2018
2018/19008/LBC	Mr & Mrs Andrew and Elizabeth Pierson	Lower Summerhouse Farm Lumb Lane Cowling Keighley BD22 0NJ	Proposed link to and conversion of detached barn	Approve with Conditions	12.04.2018
2018/19009/HH	Mr & Mrs Hardie	Lowlands Farm Barn Coniston Cold Skipton BD23 4EA	Single storey side extension to create extended utility room and new main access.	Approve with Conditions	20.04.2018
2018/19010/HH	Mr David Green	35 Hallams Yard Skipton BD23 1JN	Application for retention of replacement UPVC windows	Approve no conditions	25.04.2018
2018/19017/HH	Mrs Linda Palmer	Wood Cottage 1 Wood Grove Chapel Hill Skipton BD23 1UJ	Demolition of existing garden outbuilding and construction of single storey kitchen extension	Approve with Conditions	11.04.2018
2018/19012/LBC	Northern Railway, Arriva Rail North Ltd	Skipton Railway Station Broughton Road Skipton BD23 1RT	Listed Building Consent to replace existing ticket machine in Booking Hall with new ticket vending machine, and the installation of additional ticket vending machine and internal works.	Approve with Conditions	20.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19014/ADV	CO-OPERATIVE FOOD	Three Peaks Filling Station New Road Ingleton Carnforth LA6 3DL	2 x internally illuminated fascias (only the Co-op logo illuminates); 2 x externally illuminated fascias, with the co-op logo internally illuminated; 3 x non-illuminated wall mounted flat aluminium panels; 2 x non-illuminated 'max height' hanging panels; 2 x non-illuminated single /sided single post signs; 2 x non-illuminated double / sided twin post signs; 1 x internally illuminated 5.5m totem	Approve with Conditions	17.04.2018
2018/19015/AGRRES	Mrs B Hillard	Barn Knowle Court Farm Ellers Road Sutton-in-Craven Keighley BD20 7BL	Conversion of disused barn to 1 No dwelling (Prior Notification)	Prior Approval Granted	12.04.2018
2018/19018/FUL	Firth Developments Ltd	Rockwood House Park Wood Close Skipton BD23 1QW	Demolish existing dwelling. Construct 6 no. 4 bed detached dwellings with associated vehicular access and landscaping.	Application Withdrawn	18.04.2018
2018/19023/HH	Mr & Mrs S Martin	High Grain Barn Eldroth Austwick Lancaster LA2 8AN	Side extension including building over existing lean to extension	Approve with Conditions	23.04.2018
2018/19033/PNAG	Mr Alan Whitaker	New Farm Track Sanderber Barns Austwick	Blocking up of access from Sanderber Barns to A65 and creation of extension of existing access North of Waters Farm to Sanderber	Prior Approval Not Required	06.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19039/CND	Peel Park Properties Ltd	Homesteads Peel Green Hellifield Skipton North Yorkshire BD23 4LD	Application to discharge Condition 3 - Protection of Trees - full details provided on Drawing P1086c/001a, Condition 4 - Track Details - full details provided on Drawing P1086c/002a, Condition 6 - Fence Details - full details provided on Drawing P1086c/003a, Condition 7 - Gate Details - full details provided on Drawing P1086c/004 on original planning permission referenced 42/2015/15833 granted 20.07.2015	DOC satisfactory	19.04.2018
2018/19042/HH	Mrs Elizabeth Young	2A Shortbank Road Skipton BD23 2LH	Two storey side extension	Approve with Conditions	13.04.2018
2018/19047/TCA	Dalesview Developments Ltd	The Bay Horse Inn Ravens View Ellers Road Sutton-in-craven Keighley BD20 7LY	Fell one no. Cypress	Approve Tree Works in Conservation Area	06.04.2018
2018/19050/FUL	Mr & Mrs Dobson	1 Lane Top Jacksons Lane Bradley Keighley BD20 9HG	Proposed florists workshop and store	Approve with Conditions	23.04.2018
2018/19065/HH	Mr & Mrs Paul Wright	89 Burnside Avenue Skipton BD23 2DA	Proposed rear extension & porch to front elevation	Approve with Conditions	25.04.2018
2018/19068/TCA	Mrs Jenny Ward	24 Low Street Burton In Lonsdale Carnforth LA6 3LF	T1 Yew reduce by 25%, small crown lift and rebalance crown. T2 Poplar, reduce crown by 20%, Remove one large damaged branch with rope attached	Approve Tree Works in Conservation Area	06.04.2018
2018/19093/HH	Mrs Catherine Briscoe	67 Otley Road Skipton BD23 1HJ	Construction of new single storey kitchen extension	Approve with Conditions	20.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19075/HH	Mr Tim Ferguson	Lower Lingah Barn Lingah Hill Cononley Road Glusburn Keighley BD20 8BD	Proposed rear extension	Approve with Conditions	25.04.2018
2018/19115/HH	Miss Laura Brennand	111 Burnside Avenue Skipton BD23 2DB	Proposed 2 storey extension and erection of detached garage to replace existing detached garage. (Re-submission of planning consent reference 2017/18371/HH).	Approve with Conditions	26.04.2018
2018/19088/ PNAG	Charles Fazackerley Farming	Higher Blaitwaite Barn Stackhouse Lane Lawkland Lancaster BD24 0FE	Multi-purpose agricultural building (Prior Approval).	PN Refuse and Application Required	06.04.2018
2018/19103/TCA	Mrs Jennifer Cassidy	9 Park Avenue Gargrave Road Skipton BD23 1PN	T1 - Sycamore - fell	Approve Tree Works in Conservation Area	20.04.2018
2018/19119/TCA	Mr Brian Bullock	Hall Croft House The Fold Lothersdale Keighley BD20 8HD	T1 Maple - Remove	Approve Tree Works in Conservation Area	20.04.2018
2018/19120/TCA	Mr David Harris	16 Bright Street Skipton BD23 1QH	Remove 1 no. Conifer and 1 no. Larch	Approve Tree Works in Conservation Area	20.04.2018
2018/19123/CND	Co-op Estates	Three Peaks Filling Station New Road Ingleton Carnforth LA6 3DL	Application to discharge condition no. 7 (noise) of original planning permission 2017/18144/FUL granted 30/08/2017	DOC satisfactory	10.04.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19130/CND	Mr Duncan Morrison	Greenways Newby Clapham Lancaster LA2 8HS	Application to discharge condition no's 8 and 9 of original planning permission 18/2016/16930 granted 27/06/2016	DOC satisfactory	26.04.2018



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Planning Committee Report of Monthly Cases Closed
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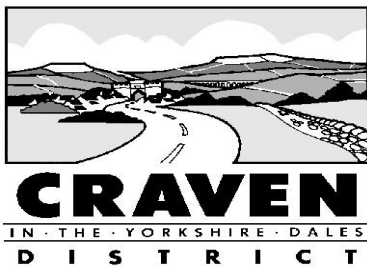
Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
1738/2014	24th February 2014	28th March 2018	Breach Resolved	1) Untidy Land 2) Car Sales	Riversdale Long Preston Skipton North Yorkshire BD23 4RA	Hellifield And Long Preston
1739/2014	24th February 2014	28th March 2018	Not Expedient	Possibly not in line with approved plans, side opening windows being fitted.	Cowling Institute Park Road Cowling Keighley North Yorkshire BD22 0BP	Cowling
1829/2014	25th June 2014	27th March 2018	Not Expedient to Enforce	Untidy premises, fly posting and other external issues.	19- 25 Main Street Cross Hills Keighley BD20 8TA	Glusburn
2059/2015	23rd February 2015	7th March 2018	Breach Resolved	Static mobile home being used as residential accommodation	Green Syke Farm Colne Road Cowling Keighley BD22 0NA	Cowling

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2064/2015	5th March 2015	6th March 2018	Not Expedient to Enforce	Change of use from residential to craft work shop	Messengers Cottage 15 Bank Yard Skipton North Yorkshire BD23 1DZ	Skipton North
2075/2015	17th April 2015	6th March 2018	Breach Resolved	Not being built in line with approved plans _ 22/2014/14867 Garden Room.	2 New Hall Farm Colne Road Cowling Keighley North Yorkshire BD22 0JQ	Cowling
2231/2015	30th September 2015	6th March 2018	Breach Resolved	Building boundary wall and conservatory without planning permission.	20 Greenroyd Court High Street Sutton-in-craven Keighley BD20 7NY	Sutton-in-Craven
2316/2016	29th February 2016	27th March 2018	Breach Resolved	Untidy Land	24 Institute Street Glusburn Keighley BD20 8PR	Glusburn
2326/2016	10th March 2016	13th March 2018	No Breach	Development not in accordance with planning application 63/2011/11591	Boyes & Sports Direct 17 Swadford Street Skipton BD23 1RD	Skipton West
2347/2016	19th April 2016	6th March 2018	Not Expedient to Enforce	Gate 1.5m high opens out onto highway	Mount Cottage Cowling Hill Lane Cowling Keighley North Yorkshire BD22 0LP	Cowling

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2364/2016	6th May 2016	27th March 2018	Breach Resolved	Development of decking on railway land	3 Hothfield Terrace Carleton Road Skipton North Yorkshire BD23 2AX	Skipton West
2470/2016	12th September 2016	6th March 2018	Not Expedient to Enforce	Unauthorised shed	Cragdale Lodge 2 Chapel Street Settle BD24 9HS	Settle And Ribble Banks
ENF/02710/2017	31st January 2017	7th March 2018	No Breach	Height of flue	9 East Lane Embsay Skipton BD23 6QX	Embsay-with-Eastby
2647/2017	3rd May 2017	7th March 2018	No Breach of Planning	Is EMP9 workspace being used in accordance with planning permission 53/2008/9105	Bomber Clough Farm Marl Hill Lane Lothersdale Keighley BD20 8HJ	Aire Valley With Lothersdale
2648/2017	3rd May 2017	27th March 2018	No Breach	Use of residential garage for storage of commercial tools - in breach of 53/2016/17590	Brow Barn Cottage Rook Street Lothersdale Keighley BD20 8EH	Aire Valley With Lothersdale
ENF/02661/2017	30th May 2017	7th March 2018	Not Expedient to Enforce	Boundary fence to neighbour and to highway over 2m and 1m respectively.	16 Park Wood Crescent Skipton North Yorkshire BD23 1UF	Skipton North

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02689/2017	12th July 2017	6th March 2018	Breach Resolved	Overgrown garden, car and settee in garden.	43 Marshfield Road Settle BD24 9DA	Settle And Ribble Banks
ENF/02724/2017	30th August 2017	7th March 2018	Other Reason	Unauthorised removal of cobblestones in a conservation area.	Alleyway Behind 209 Keighley Road Cowling Keighley BD22 0AF	Cowling
ENF/02737/2017	7th September 2017	13th March 2018	No Breach	Extending residential curtilage into field	Bridge End Farm Colne Road Glusburn Keighley BD20 8DP	Glusburn
ENF/02741/2017	12th September 2017	27th March 2018	Not Expedient to Enforce	Works not carried out in accordance with approved plans - 32/2015/15376 - Dropped curbs for parking	St Josephs Catholic Church Aire Street Cross Hills Keighley	Glusburn
ENF/02766/2017	13th November 2017	6th March 2018	Breach Resolved	Implementation of 66/2015/15769 has stopped. Site has become a dumping ground and is untidy. Can an order be issued to complete the works?	Wet Ings Lane Ellers Road Sutton-in-craven Keighley BD20 7JR	Sutton-in-Craven
ENF/02781/2017	14th December 2017	19th March 2018	No Breach	Has 2017/18564/HH been implemented correctly? Roof of garden room appears to overhang garden wall of neighbouring property	6 Crowgarth Gargrave Skipton BD23 3SR	Gargrave And Malhamdale

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02790/2018	4th January 2018	27th March 2018	No Breach	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/02804/2018	23rd January 2018	13th March 2018	No Breach	Camper van being lived in opposite 26 Princes Drive.	21 Princes Drive Skipton BD23 1HL	Skipton East
ENF/02815/2018	7th February 2018	6th March 2018	No Breach of Planning	Extensions not carried out in accordance with approved plans (63/2017/18031)?	74 Raikes Road Skipton BD23 1LS	Skipton North
ENF/02826/2018	22nd February 2018	27th March 2018	No Breach of Planning	Noise from residential caravan and roofing materials potentially not in accordance with planning application ref:	Land At Scarfes Farm Mewith Lane Low Bentham Lancaster LA2 7DQ	Bentham
ENF/02832/2018	13th March 2018	27th March 2018	Other Reason	Large green storage container	Bridge End Farm Glusburn Bridge Colne Road Glusburn Keighley BD20 8DP	Glusburn

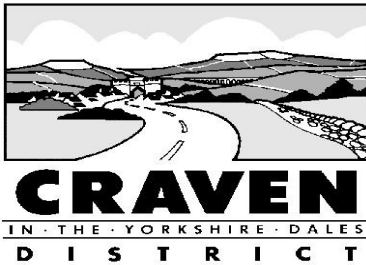


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Planning Committee Report of Monthly Cases Closed
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Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
0767/2010	10th May 2010	18th April 2018	Other Reason	Alleged unauthorised alterations to windows and doors at 11 Craven Terrace, Skipton.	11 Craven Terrace Canal Yard Skipton BD23 1JQ	Skipton North
2022/2015	26th January 2015	10th April 2018	Breach Resolved	Untidy land.	5 Bucklar Hill Newby Road Farnhill Keighley North Yorkshire BD20 9AS	Aire Valley With Lothersdale
2050/2015	24th February 2015	11th April 2018	Breach Resolved	Untidy Land	96 Broughton Road Skipton BD23 1TE	Skipton West
2068/2015	10th March 2015	19th April 2018	No Breach	Untidy land and materials being stored on land.	Clay Hall Farm Broughton Road Skipton BD23 3AA	Skipton West

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2380/2016	18th May 2016	10th April 2018	No Breach	CHANGE OF USE: RESTAURANT TO RESIDENTIAL	25 Keighley Road Skipton BD23 2LU	Skipton West
2520/2016	7th December 2016	24th April 2018	Breach Resolved	Car key cutting business and untidy land.	Rock Royd Farm Keighley Road Low Bradley Keighley North Yorkshire BD20 9HE	Aire Valley With Lothersdale
ENF/02670/2017	16th June 2017	18th April 2018	Breach Resolved	Untidy Land	St John's United Methodist Church Cononley Keighley BD20 8LS	Aire Valley With Lothersdale
ENF/02674/2017	22nd June 2017	11th April 2018	Case Closed	Making garden furniture in garage - Welding furniture & dangerous gas cylinder.	Park Farm Park Lane Cowling Keighley BD22 0NH	Cowling
ENF/02822/2018	20th February 2018	17th April 2018	No Breach of Planning	Vehicle sales/ repairs outside of 20 Montgomery Street, Skipton.	20 Montgomery Street Skipton BD23 2ER	Skipton South
ENF/02844/2018	3rd April 2018	10th April 2018	No Breach	Change of use of grassed area to driveway and garages	Top Of Royd Close Cross Hills Keighley BD20 8TW	Glusburn



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Planning Committee Report of Monthly New Complaints Registered **March 2018**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02829/2018	Alleged unauthorised dormer windows	20-22 Greenfield Street Skipton BD23 1SJ	Skipton West
ENF/02830/2018	Un-authorised campsite.	Winter House Farm Colne Road Cowling Keighley BD22 0NN	Cowling
ENF/02831/2018	Development not being carried out in accordance with condition 4 & 5 of planning application 11/2017/17950	Land Off Jacksons Lane Low Bradley Keighley North Yorkshire BD20 9HG	Aire Valley With Lothersdale
ENF/02832/2018	Large green storage container	Bridge End Farm Glusburn Bridge Colne Road Glusburn Keighley BD20 8DP	Glusburn
ENF/02833/2018	2 properties made into 1	9 & 11 Pendle Street Skipton BD23 1SN	Skipton West
ENF/02834/2018	Un-authorised container.	Land Left Of Swing Bridge Low Bradley Keighley BD20 9EN	Aire Valley With Lothersdale

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02835/2018	Widening, drainage works and damage to the open access moorland.	Lane Head Crossroads Slaidburn Road/ East Stretch Of Moorlands Farm Low Bentham Lancaster LA2 7DQ	Bentham
ENF/02836/2018	Un-authorized works to a listed building- concrete being removed externally being replaced with limestone and some internal works.	White House Chapel Lane Halton East Skipton BD23 6EH	Barden Fell
ENF/02837/2018	White UPVC windows in listed building.	1 Kings Street Skipton BD23 1HD	Skipton East
ENF/02838/2018	White UPVC windows in a Listed Building.	4 Kings Street Skipton BD23 1HD	Skipton East
ENF/02839/2018	Extended the development out beyond the approved red outline- Application Ref: 62/2016/17323.	Plots 16 And 17 Brockhole View Settle BD24 9RF	Settle And Ribble Banks
ENF/02840/2018	Extension	2 High Mill Cottages Marton Road Gargrave Skipton BD23 3NN	Gargrave And Malhamdale
ENF/02841/2018	Demolition of garage site without discharging conditions no. 10, 12,13,14,15 & 19 of planning application ref: 53/2017/17852.	Former Haulage Garage Site Rook Street Lothersdale Keighley BD20 8EH	Aire Valley With Lothersdale



Planning Committee Report of Monthly New Complaints Registered April 2018

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02842/2018	Alleged use of garden room as holiday let	Stoney Croft 3 Skipton Road Gargrave Skipton BD23 3SA	Gargrave And Malhamdale
ENF/02843/2018	Annexe not been used in accordance with application 65/2015/16180	Stirton Grange Stirton Lane Stirton Skipton BD23 3LN	Gargrave And Malhamdale
ENF/02844/2018	Change of use of grassed area to driveway and garages	Top Of Royd Close Cross Hills Keighley BD20 8TW	Glusburn
ENF/02845/2018	Erection of three garages	35 Hazel Grove Road Sutton-in-craven Keighley BD20 7QT	Sutton-in-Craven
ENF/02846/2018	Large concrete structure being built	3 Haw Grove Hellifield Skipton BD23 4JA	Hellifield And Long Preston
ENF/02847/2018	Permanent residence of caravan	Crookrise Caravan Site The Avenue Overdale Park Skipton BD23 6AA	Skipton North

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02848/2018	Unauthorised shed on agricultural land	Clifford Hall Mill Hill Road To Clifford Hall Burton-in-Lonsdale Carnforth LA6 3LW	Bentham
ENF/02849/2018	Satellite dish in conservation area	26 Church Street Gargrave Skipton BD23 3NE	Gargrave And Malhamdale
ENF/02850/2018	Excavation of driveway and erection of wall that looks like breeze block.	Grange Hall Cottage The Folly To Near Woodside Farm Kildwick Keighley BD20 9AD	Aire Valley With Lothersdale
ENF/02851/2018	Alleged unauthorised works in root protection zone of TPO tree	Land To East Of Green Lane Glusburn Keighley	Glusburn
ENF/02852/2018	Approved site entrance is now opposite number 21 whereas the original was further north	Land To East Of Green Lane Glusburn Keighley	Glusburn
ENF/02853/2018	Working outside of site hours	Land Bounded By A65 White Hills Lane & Raikes Road Skipton North Yorkshire BD23 1LW	Skipton North
ENF/02854/2018	Alleged formation of driveway	60 Colne Road Glusburn Keighley BD20 8PJ	Glusburn
ENF/02855/2018	Alleged formation of driveway	62 Colne Road Glusburn Keighley BD20 8PJ	Glusburn

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02856/2018	Alleged formation of driveway	64 Colne Road Glusburn Keighley BD20 8PJ	Glusburn
ENF/02857/2018	Development not in accordance with approved plans 63/2014/15027 - Extra window in Plot 29 and steps onto the highway	Clitheroe Works Clitheroe Street Skipton BD23 1SU	Skipton West
ENF/02858/2018	Depositing of rubble in a field in a Conservation Area	Land On The East Side Of Royd Street Cowling	Cowling